

THE PHOENIX PROGRAM: FROM VIETNAM TO BLACK SITES-
A LEGACY OF TORTURE

by

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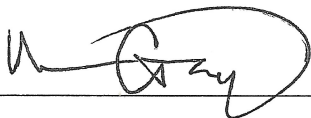
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A THESIS

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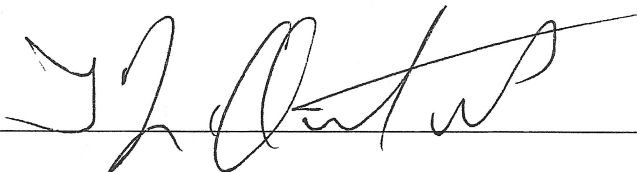
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Abstract

During the Vietnam War, the United States attempted to defeat the North Vietnamese through assorted endeavors. One such effort developed by the Central Intelligence Agency (CIA) in 1967, was referred to as the Phoenix Program. This covert operation combined existing counterinsurgency programs in a concerted effort to ‘neutralize’ the Vietcong infrastructure (VCI). Even though the program terminated at the war’s end, Phoenix rose from the ashes to assist the United States across the globe. This research will explore Phoenix, its objectives, methods, and impacts, along with its application to contemporary practices utilized by the US government against various adversaries. This analysis involves an examination of both primary and secondary sources related to Phoenix. Government documents from US military and CIA archives, along with congressional hearings, explain the operation, its goals, and effects. Recent secondary sources disclose aspects of the program utilized as a mainstay of America’s military and intelligence agency efforts to fight terrorism.

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Abbreviations

ARVN — Army of the Republic of Vietnam

CG — Census Grievance-CIA covert action program designed to obtain information on the VCI through static agents in villages, or mobile agents in armed propaganda teams.

CIA—Central Intelligence Agency

CORDS--Civil Operations and Revolutionary Development Support

COSVN—Central Office for South Vietnam

DIOCC — District Intelligence and Operations Coordination Center: office of the Phoenix adviser in each of South Vietnam's 250 districts.

GVN — Government of the Republic of Vietnam

ICEX — Intelligence Coordination and Exploitation: original name of the Phoenix program, formed in June 1967.

ICRC—International Committee of the Red Cross

JMWAVE—CIA intelligence gathering station in Miami, training facility for anti-Cuban operations, existing on what is now the site of the Miami Zoo.

KUBARK—counterintelligence manual and codename for CIA

MACV — Military Assistance Command, Vietnam: arrived in Saigon in February 1962 as a unified command under the Commander in Chief, Pacific, managing the US military effort in South Vietnam.

MAAG—US Military Assistance Advisory Group

MKULTRA—principal CIA program involving the research and development of chemical, biological and radiological materials capable of employment in clandestine operations to control

human behavior.

MPAJA—Malayan Peoples' Anti-Japanese Army

NLF — National Liberation Front: formed in 1960 by the various insurgent groups in South Vietnam.

NPIASS-II—National Police Infrastructure Analysis Subsystem

NVA — North Vietnamese Army

OSS—Office of Strategic Services-fore-runner of the CIA

PAVN—People's Army of Vietnam

Phung Hoang — The mythological Vietnamese bird of conjugal love that appears in times of peace, pictured holding a flute and representing virtue, grace, and harmony. Also, the name given to the South Vietnamese version of Phoenix.

PIC—Province Interrogation Centers

PRP—People's Revolutionary Party

PRU — Provincial Reconnaissance Units: mercenary forces under the control of the CIA in South Vietnam.

PSC — Province Security Committee-nonjudicial body charged with the disposition of captured VCI.

SACSA — Special assistant (to the chairman of the Joint Chiefs of Staff) for Counterinsurgency and Special Activities: office within the Joints Chiefs with responsibility for Phoenix policy.

SEATO—Southeast Asia Treaty Organization

SERE—Survival, Evasion, Resistance, and Escape-training for US military personnel

USAID—United States Agency for International Development

VC — Viet Cong: Vietnamese Communist

VCI — Viet Cong Infrastructure: all Communist party members and NLF officers, plus Vietcong and NVA saboteurs and terrorists.

VNQDD — Vietnam Quoc Dan Dang: Vietnamese branch of the Kuomintang.

Portions of this list come from Douglas Valentine, *The Phoenix Program*, (New York: William & Morrow Co., 1990), 439-49, and The Mary Ferrell Foundation, *CIA Cryptonyms*, 2018.

Introduction

Overview of Phoenix and US Involvement in Vietnam

Fear is the foundation of most governments.
-John Adams

The unit of American soldiers approached the hamlet in broad daylight with a list of suspected Vietcong leaders. After locating one of the townspeople, the group attempted to find out where a suspect resided. If the person failed to provide a location, a sandbag with eyeholes would be placed over their head and they would be led through the village on a [commo] wire leash. Then the individual would be asked, “to shake his head when the unit passed the target’s house.”¹ After nightfall, operatives would knock on the door of the accused’s home and “whoever answered the door would be blasted with gunfire.”² Such was a tactic employed by members of the Phoenix program, a counterinsurgency operation administrated by the Central Intelligence Agency (CIA), which attempted to neutralize the Vietcong infrastructure (VCI), “the political and administrative organization through which the Viet Cong controlled the villages and hamlets of South Vietnam,” during the Vietnam War.³ Phoenix reflects a legacy of torture, still considered by the CIA and the US military as a necessary and viable tool in campaigns against various adversaries, even though evidence of its effectiveness in Vietnam is mixed.

The following questions will be examined in relation to this clandestine undertaking. How and why was the Phoenix program developed and what purposes did it serve? How was the operation implemented and who was involved? What was the reaction of the South Vietnamese army to Phoenix? Were they receptive to the operation since the CIA and the US military ran it? What was the overall impact of the program on the war in Vietnam and did it succeed in accomplishing its mission and objectives? What is the legacy of Phoenix and did it serve as a

blueprint for later endeavors by the US government in various conflicts including El Salvador, Afghanistan, Syria and Iraq?

Many historians have written about Phoenix, since the 1970s. Scholars such as Stanley Karnow, Gabriel Kolko, and Robert Asprey provide insight into the operation's effectiveness based on interviews with Viet Cong, North and South Vietnamese officials, and Phoenix officers and operatives. Douglas Valentine explores the program's legal and moralistic aspects, while Dale Andrade looks at the veracity of the historical narrative concerning the operation and concludes that much of the criticism leveled at the CIA's innovation is false. Tal Tovy, a military historian, examined sources that discuss the operation and surmises that it reflects a shifting image concerning US engagements in Vietnam. More recently, Andrew Finlayson, another military historian, scrutinizes the logistics of Phoenix and its usefulness as a counterinsurgency effort.⁴ My research builds upon the existing literature by offering recently declassified information on the topic and contends that even though the operation's results were questionable depending upon whom you consult, the United States fully sanctioned and implemented Phoenix interrogation techniques.

As with any operation implemented by intelligence agencies or military organizations, at its founding a name was required. In this case, the program derived its name from a mythical bird. The Greek historian Herodotus first commented about the fowl over 2500 years ago in *The History of Herodotus*. He notes that he had never actually seen the creature but that it only appeared, "according to the accounts (of the people of Heliopolis) once in five hundred years, when the old phoenix dies."⁵ The bird's offspring would then rise from the ashes, and transport priests to the temple altar located in Heliopolis. In Asian cultures, the phoenix is held in high regard over all other birds. The Vietnamese called it Phung Hoang, "one of four sacred animals

in Vietnamese mythology” that “represented grace, virtue, peace, and concord.”⁶ To the originators of the operation, “Phoenix was the best English approximation of the Vietnamese mythical bird.”⁷

Before undertaking an examination of Phoenix, a brief background explaining the history of US involvement in Vietnam provides assistance in understanding why the United States, its military services, and intelligence agencies instituted and utilized the operation. In 1857, the French emperor Napoleon decided to invade Vietnam. This action was a result of France’s efforts to advance capitalism “which generated the need for overseas markets and the desire for a larger French share of the Asian territories conquered by the West.”⁸ The Vietnamese were unable to repel military forces and signed a “treaty in June 1862, which ceded the conquered territories to France.”⁹ France continued to mount efforts to control Vietnam and three adjoining provinces, Laos, Cambodia and Thailand, and in 1897 “moved to impose a Western-style administration on their colonial territories and to open them to economic exploitation”¹⁰ These capitalistic endeavors generated adverse effects on the Vietnamese people. Resistance to French rule revolved around this foreign economic intrusion, accompanied by “the lack of any Vietnamese participation in government.”¹¹ A movement for national liberation was also pursued. After World War I, this drive continued to gain momentum and “led to a revival of clandestine and revolutionary groups.”¹² Finally, the Vietnamese Communist Party, led by its founder Ho Chi Minh, was able to seize Hanoi and as 1946 began, “there were two Vietnams: a communist north and a noncommunist south.”¹³

In 1946, Ho Chi Minh sent a letter to US President Harry Truman asking for his help “in gaining independence for Vietnam.”¹⁴ That same year, efforts by Ho Chi Minh to gain independence from France were unsuccessful. This prompted an attack by Mihn’s forces against

the French in Hanoi. This action resulted in “the First Indochina War, also called the Franco-Vietnamese War.”¹⁵ In 1948, Truman decided to assist the French in conducting their “war effort in Vietnam.”¹⁶ Two years later, both China and the Soviet Union acknowledged their recognition of “Ho Chi Minh's government, the Democratic Republic of Vietnam.”¹⁷ The very same year, the United States provided financial support to France. The total of aid given amounted to “20 million” dollars.¹⁸ Also in 1950, a policy memorandum entitled United States Objectives and Programs for National Security (NSC-68), issued by the United States National Security Council, committed the United States “to assist nations threatened by Soviet aggression.”¹⁹ This was followed by an initial group of US military advisors—the US Military Assistance Advisory Group (MAAG), which arrived in Saigon in September.

In 1954, President Dwight D. Eisenhower proclaimed the essence of a domino theory and its application to communist infiltration when he stated, “You have a row of dominoes set up” and “you knock over the first one, and what will happen to the last one is a certainty that it will go over very quickly.”²⁰ Eisenhower’s concern was that once a country like Vietnam fell into communist ranks, other countries in Indochina would also fall. In the same year, the National Security Council suggested to the US that it should “maintain a friendly non-communist South Viet Nam and prevent a communist victory through all Viet Nam elections.”²¹ The Southeast Asia Treaty Organization (SEATO) was also created in 1954 to furnish “a collective security framework” which would enable the United States “to bolster pro-Western factions inside South Vietnam.”²² South Vietnamese leader “Ngo Dinh Diem provided the instrument for implementing American policy.”²³ In 1955, under American guidance, Diem consolidated power in Saigon and rejected principles advocated in the Geneva Accords, while Ho Chi Minh, following communist direction, instituted massive “land reforms,” resulting in the imprisonment,

torture, and execution of “thousands of people classified as landowners and wealthy farmers.” This action prompted a “mass exodus” in which many Vietnamese families fled and headed to South Vietnam.”²⁴

In 1959, two US military advisors were killed in Vietnam, and became “the first American deaths (non-combat) reported in Vietnam.”²⁵ The very next year, the US decided to place more advisors in the country, increasing the number from 327 to 685.²⁶ That same year, President Diem repelled “an attempted coup by his own South Vietnamese government forces.”²⁷ Further opposition against Diem also developed in 1960 with the formation of the National Front for the Liberation of South Vietnam, also referred to as the National Liberation Front (NLF). This group along with “its military wing—the Viet Cong (VC),” received funding from North Vietnam and was composed of “ex-Viet Minh guerilla soldiers from the South.”²⁸ While these events transpired, President John F. Kennedy decided to advance his predecessor’s agenda calling for a “move forward to meet communism.”²⁹ The year 1961 marked not only the first American combat deaths in Vietnam, but also the killings of “4,000 South Vietnamese officials” by the Viet Cong.³⁰ By 1962, the United States had increased its military forces in Vietnam to 11,000.³¹ Another event that took place that year was the institution of the Strategic Hamlet Program. This US initiative attempted “to group the peasant population into fortified villages” in an attempt “to isolate the rural population from Viet Cong influence and, by providing education and health care, assist Diem with his rule.”³² However, this effort failed because of resentment by peasants who were “uprooted from their homes.”³³

Key events related to additional US involvement in Vietnam occurred in 1963 when the United States participated in “the overthrow of the Diem government.”³⁴ On November 1, a group of South Vietnamese soldiers accompanied by “CIA officers at South Vietnamese army

headquarters,” placed Diem under arrest, “and he and his brother were murdered.”³⁵ This assassination generated a much “deeper US involvement in Viet Nam affairs” resulting in the accumulation of “15,000 American troops.”³⁶ Following JFK’s murder a few weeks later on November 22, 1963, new President Lyndon Johnson escalated the war in Vietnam even further. When he came into power, “there were 16,000 American troops in Vietnam. When he left there were more than 500,000.”³⁷

In August of 1964, an ‘alleged’ second attack by North Vietnamese torpedo boats on the USS Maddox, an American destroyer stationed in the Gulf of Tonkin, became the impetus for mass escalation of the war and immediately led to the passage of the Gulf of Tonkin resolution which prompted “massive American bombings of North Vietnam and commitment of large numbers of American ground troops to offensive and aggressive combat.”³⁸ By 1967, and the beginnings of Phoenix, many Vietnamese opposed United States involvement in the affairs of their nation. In protest, they carried signs that declared, “End foreign dominance of our country,” and began orchestrating attacks on “American facilities.”³⁹

Chapter 1

Analysis of the Historical Phoenix Narrative

The only people who see the whole picture are the ones who step outside the frame.
-Salman Rushdie

To promote a better understanding of Phoenix, a detailed examination and analysis of specific literature on the subject using both primary and secondary sources is required. Dr. Tal Tovy, a military historian looked at sources that discuss the operation and put together a compilation of the information in an article entitled “The Rebirth of the Phoenix: The Historiography about the Phoenix Program and the Changes in the Attitudes of American Society toward the Vietnam War.” This historiography is beneficial because it presents several historians’ claims accompanied by evidentiary support, which allows investigatory comparisons to help discover the ‘truth’ about Phoenix. The article was published in *Historia: Journal of the Historical Society of Israel* in 2004.

The underlying directive in Tovy’s work is to scrutinize the historiographic change that took place in research related to the Vietnam War through an examination of the Phoenix program. This historiographic discussion revolves around the definition of the concept of neutralization against the Viet Cong infrastructure, the primary goal of Phoenix. The author asks some very intriguing questions, such as, “what is the neutral?”¹ Was the intent of the operation, “to liquidate, or to lead to the desertion of the activists or to try to capture them in life?”² Did neutralization translate into the murder of innocent civilians, as some accounts relate? Did some reports avoid use of the term murder, because of perceptions that the interrogators had of those that they were interviewing? These questions establish a basis for investigation related to trends in the reporting of Phoenix as well as attitudes towards the Vietnam War in general.

The author examines the literature concerning Phoenix and presents information from various sources related to the operation. He refers to Stanley Karnow's work, *Vietnam: A History*, which contains interviews with Viet Cong and North Vietnamese officials. These discussions regarding Phoenix revealed "a deep fear among the Viet Cong and was seen as a very dangerous plan for the Communist war effort in South Vietnam."³ Historian Gabriel Kolko noted that the "program was far more effective than expected" by "its planners, and its operators."⁴ Tovy speculates and concludes that since both of these researchers "do not emerge from a point of view," that can be labeled pro-American, "it can be determined with great certainty that the Phoenix program was effective."⁵ Mention is also made of Robert Asprey, a military historian, who reported in his book, *War in the Shadows - The Guerrilla in History*, "that the Phoenix program was very effective."⁶

Tovy's historiography is not the only aspect of the article that is useful in the exploration of Phoenix. The work also provides a timetable, which demonstrates how accounts of the operation have changed in relation to attitudes towards the Vietnam War. The author does not endeavor to judge or praise what took place between operatives and suspected VCI. He merely sheds light on the narrative concerning Phoenix by presenting the views of several historians who not only defend it, but also criticize it as well. Tovy also notes that during the nineties research revealed that corruption within the operation was attributed to the South Vietnamese, and that "the United States had no oversight on events."⁷ He concludes his study by noting that morality issues surrounding Phoenix "will continue to stand in the middle of an intense discussion that cannot be determined," and that "any discussion of the Phoenix program's future also depends on American society in relation to the Vietnam War."⁸

Douglas Valentine's book, *The Phoenix Program*, endeavors to explore the complex

question, “Was Phoenix a legal, moral, and popular program that engendered abuses or was it an instrument of unspeakable evil—a manifestation of everything wicked and cruel?”⁹ With government documents and personal account interviews, the author demonstrates that the operation was not only insidiously immoral but also grossly ineffective in accomplishing its goal to destroy the National Liberation Front (NLF) and VCI. Firsthand accounts used as evidence to support Valentine’s claims come from interviews conducted with individuals that participated in the program as well as those who witnessed atrocities committed by CIA operatives and their assistants.

In researching Phoenix, Valentine wrote a letter to William Colby, requesting information from him about the program. He explained to the former DCI that he was attempting to ‘de-mystify’ the operation. Colby was in favor of such an approach along with Valentine’s objective to consider “different points of view.”¹⁰ As a result, with Colby’s support, the author was introduced to several CIA senior advisers.¹¹ This set the stage for discovering information on Phoenix from inside the Agency. Valentine made use of his interview skills “to persuade a lot of these CIA people to talk about Phoenix.”¹²

Valentine also approached his research based on an organizational perspective. He considers this to be instrumental in any investigation of a bureaucracy like the CIA.¹³ In a radio interview conducted in 2018, Valentine argues that in attempting to understand the operations of an intelligence agency, one must realize that “they have an historical arc” with a beginning, a purpose, operational guidelines and “management structures.”¹⁴ With this idea at the forefront, he communicated with one of Phoenix’s original organizers, Nelson Brickman, a Yale graduate, and “an organizational genius.”¹⁵ This set the stage for a better understanding of how the CIA works and the mechanics that went into the program’s operation.

Another influential Phoenix operative interviewed by Valentine, who will be discussed later in this thesis was Evan Parker. With his cooperation, Valentine was able to compile “a roster of everybody in the Phoenix Directorate from when Parker started it in the summer of 1967.”¹⁶ Since William Colby introduced Valentine to Parker and other Phoenix advisers, they cooperated with him which contributed invaluable to the writing of his book. As Parker put it, “(Colby) was the Director and we still consider him to be the Director. If he says you’re okay, we believe it.”¹⁷ Also, due to the approach he took in conducting interviews, such as not asking former operatives if they killed anyone or had done anything illegal and stressing that he was only interested in the facts concerning the program, Valentine was able to obtain ‘their secrets.’

At the outset of the book, the writer wisely maintains that he was limited in his pursuit of the ‘truth’ concerning Phoenix, due to several factors which acted as limitations on his research. These include program participants who “signed nondisclosure statements” prohibiting them from revealing what they knew; those “silenced by their own conscience,” and “soldiers whose careers would suffer if they were to reveal the secrets of their employers.”¹⁸ Valentine also notes that there was a cover-up of the operation which included “falsification of records” and concealment of CIA “misdeeds under a cloak of secrecy, threats, and fraud.”¹⁹ Valentine concludes his book by noting that even though Phoenix officially ended in Vietnam, its legacy and distorted principles live on “in the imaginations of ideologues obsessed with security, who seek to impose their way of thinking on everyone else.”²⁰

Dale Andrade’s book, *Ashes to Ashes: The Phoenix Program and the Vietnam War*, published in 1990, also provides information on the operation. He begins his work by pointing out that the authenticity of the historical narrative concerning the Phoenix program depends upon who discusses it with you. He argues that there are many interpretations of the program’s

functions and its accomplishments or contrasting deficiencies. He notes that there is a “bit of truth in every interpretation” regarding Phoenix.²¹ However, he maintains that much of the criticism leveled at the CIA’s innovation is false, since “polemics seem to have clouded the reality of Phoenix to a greater degree than any other aspect of the Vietnam War.”²² According to Andrade, the public’s view of the operation has been “mired in myth and misunderstanding” based on many years of “allegations, half-truths, and outright lies.”²³ Thus, his book not only attempts to set the record straight but also strives to provide justification for US policy.

Ashes to Ashes provides a history of Phoenix, which led up to its inception, and how it was used to fight the Viet Cong infrastructure (VCI). After the murder of Ngo Dinh Diem, President of South Vietnam in November 1963, paramilitary groups known as “Provincial Reconnaissance Units (PRUs), developed in early 1964 to strike at the guerillas in the villages.”²⁴ American advisers, numbering around 600, including “mostly military but some State Department and 20 to 40 CIA specialists,” worked alongside the PRUs (fig. 1.3) to interrogate civilians, while the CIA recruited individuals to assist with counter terrorism techniques to decimate the VCI and the NLF, who worked to overthrow the South Vietnamese government and unify North and South Vietnam.²⁵ At first, the CIA’s efforts were viewed as merely an extension of imperialist tactics that had been employed during the Diem regime. However, with the rise of Phoenix in 1967, the objective became “a secret war against a secret enemy.”²⁶ Andrade argues that even though the CIA did accumulate vast amounts of intelligence concerning the opposition, Phoenix ultimately failed due to poor nationwide implementation.²⁷

A few criticisms of the book can be made. First, there is excessive reliance on US government documents. This clouds the author’s discussion of efforts by Diem’s regime leading up to Phoenix and demonstrates a lack of well-rounded research on the part of the author.

Andrade criticizes Diem's efforts but does not provide Vietnamese documents to support those claims. Second, the author maintains that Phoenix was not an assassination program, as many of its critics contend, because more VCI were captured than killed. This begs the question. But weren't thousands still murdered? He also argues that differences in the use of the word assassination are arbitrary. If the identity of the person killed was unknown, it was war, if known it was assassination. Third, contradictory conclusions on the effectiveness of Phoenix are presented. As mentioned earlier, the program's implementation failure is mentioned (p. 282). Then a few pages later, the author claims "Americans made the Phoenix program work."²⁸

Another military historian, Andrew A. Finlayson, considers Phoenix as a case study in an article entitled, "A Retrospective on Counterinsurgency Operations: The Tay Ninh Provincial Unit and its Role in the Phoenix Program, 1969-1970," published in *Studies in Intelligence* in 2007. The central theme of this piece consists of a narrative that describes the role of a South Vietnamese province, Tay Ninh, in relation to this counterinsurgency operation.

Finlayson describes Phoenix as "one of several pacification and rural security programs that CIA ran in South Vietnam during the 1960s."²⁹ Pacification was an attempt to persuade the peasantry that both their own government and the United States "were sincerely interested in protecting them from the Viet Cong."³⁰ The idea was that if the South Vietnamese were trained in defensive tactics, "large areas of the South Vietnamese countryside could be secured or won back from the enemy without direct engagement by the US military."³¹ By utilizing lists of known Viet Cong operatives, CIA agents and South Vietnamese police would interrogate "these individuals for further intelligence on the communist structure and its operations."³² If people resisted being questioned they were killed. The author argues against the idea that Phoenix was merely another name for a group of assassination squads, since Provincial Reconnaissance Units

(PRU's), like the one at Tay Ninh, were only responsible for killing 14 percent of VCI interrogated under the program.³³

Criticism can be leveled against the author's presentation of information related to the effectiveness of Phoenix. He contends that by the time of the 1968 Tet offensive, the operation "had removed over 5,000 VCI from action, and that conventional military actions and desertions--some prompted by Phoenix--accounted for over 20,000 more."³⁴ As a result, US military efforts in combination with Phoenix "had eliminated upwards of 80,000 VCI through defection, detention, or death."³⁵ However, criticism of these claims is contained in three arguments. First, the statistics mentioned are from Civil Operations and Revolutionary Development Support (CORDS), a consolidation of military and civilian pacification efforts organized by the US Military Assistance Command (MACV). It is doubtful that the data is accurate since it is based on reports that are probably exaggerated, considering the source. Even the author notes that the figures lie "on the high end of estimates, all of which were dependent on statistics of varying reliability."³⁶ Second, the 80,000 VCI elimination figure does not isolate a number unique to Phoenix, and neither does the claim of 'some' desertions that occurred. Thus, these claims fail to provide any clarity of impact on the effectiveness of the operation. Third, even though the author mentions CORDS as his source, he fails to provide primary source documentation and instead refers to secondary sources to confirm his claim.

An article published in *World Politics* in 2007, by Stathis N. Kalyvas and Matthew Adam Kocher entitled, "How 'Free' is Free Riding in Civil Wars? Violence, Insurgency, and the Collective Action Problem," presents important information on Phoenix. Kalyvas and Kocher explore difficulties faced by counterinsurgency efforts and the correlation of these violent campaigns with lasting guerilla movements. The data set from Phoenix, the National Police

Infrastructure Analysis Subsystem (NPIASS-II), described by the authors as, “a joint intelligence-gathering and coordination system designed to identify and ‘neutralize’ clandestine agents of the Vietcong in South Vietnam,” is examined using a mathematical model to assess “rebel and noncombatant relative risk.”³⁷ Specifically, the analysis attempts to demonstrate that “the individual risk of nonparticipation approaches that of participation, thus eliminating the collective action problem faced by rebel organizers.”³⁸ The authors point out that Phoenix offers a detailed data set but is limited by its coverage of a specific “group of people rather than the population at large.”³⁹

Kalyvas and Kocher’s analysis of the Phoenix database is revelatory in several ways. To begin, their observations indicate “that a simple cross-tabulation of confirmation and status” undertaken by Phoenix agents provides a narrative of “capricious violence.”⁴⁰ The data demonstrates “that only about 10 percent of all individuals targeted under the Phoenix Program were confirmed VC by the database’s own standards.”⁴¹ Of those that were eventually killed, “4.5 percent were confirmed VC.”⁴² This can be contrasted with the termination by operatives accounting for “20 percent unconfirmed” Viet Cong.⁴³ The record also shows that 34 percent were captured and 18 percent became defectors.⁴⁴ When the data collection ended in 1973, “25 percent of the unconfirmed VC remained at large,” while “94 percent of the confirmed VC also remained at large.”⁴⁵

In layman’s terms, this means that for every 100 suspected VC infiltrators, 94 of them avoided Phoenix operators. Those considered not as likely to be in collusion with the enemy by the designated standards “were twenty-four times more likely to be killed than highly suspicious ones.”⁴⁶ These minor suspects had a five times greater chance of facing termination than their highly suspected counterparts.⁴⁷ Based on probabilities, those listed as unconfirmed had close to

thirteen times greater odds of being killed and twenty-six times greater odds of being captured or killed.”⁴⁸ Kalyvas and Kocher conclude that a simple and very plausible reason that explains this “data is that the confirmation process was reasonably successful at distinguishing real Vietcong agents from innocents.”⁴⁹

Further study of the Phoenix database, the National Police Infrastructure Analysis Subsystem (NPIASS-II), which contains “a summary of all the information held on each individual, including a record of each person’s status as of the close of the program: captured, killed, defected, or at large,” reveals several key findings.⁵⁰ First, the information that Phoenix accumulated came from “numerous military and police organizations operating as part of the U.S. alliance,” and was utilized “to target individuals for capture or assassination.”⁵¹ Second, the authors indicate that their findings corroborate current literature that maintains, “Phoenix was wildly inaccurate, killing or otherwise victimizing numerous civilians for every legitimate Vietcong member.”⁵² Third, even though the operation only represented a small part of the overall violence that took place during the Vietnam War, a realistic claim can be made that it was “the best attempt of the U.S. and South Vietnamese governments to target the Vietcong selectively and to avoid civilian casualties.”⁵³

There are a few noteworthy criticisms in regards to the data and the authors’ analysis. First, it appears that the claim made regarding Phoenix’s success may not be legitimate considering that: (1) existing literature shows operational inaccuracies which resulted in the deaths of many civilians; and (2) targeted individuals were part of a “perverse selection mechanism,” which meant that “those most likely to be innocent were precisely the most likely to be victimized.”⁵⁴ Second, the impact of Phoenix on those targeted, “the most important Vietcong agents, ‘executive cadre at all levels of the communist apparatus,’” is minimized by a

Defense Department analyst's observation cited in the article. Thomas C. Thayer contends, "Phoenix was good at locating rank-and-file Vietcong agents but poor at getting high-ranking agents."⁵⁵ Compounding this issue, personal vendettas played a significant role in targeting, which could explain why some victims of Phoenix were not even part of the Vietcong infrastructure. One account indicates that some "were personal enemies, men who had insulted their sisters, men who had stolen their sweethearts," farmers who had failed to repay borrowed money "from their families," along with "GVN [South Vietnam Government] officials who had beaten their cousins," and even "family members of these enemies."⁵⁶ These relatives were also "fair game, especially when previous offenses had involved relatives."⁵⁷

Chapter 2

Phoenix Comes to Life in Vietnam

Phoenix was an essential part of the war effort, designed to protect the Vietnamese people from terrorism.

-William Colby

Key operational concepts central to Phung Hoang and Phoenix originated with a Buddhist from Central Vietnam, Tran Ngoc Chau, an officer in the South Vietnamese Army, who had been a communist with the Viet Minh fighting against the French at the end of World War 2.¹ After enduring disenchantment with communism, because of “the Viet Minh’s growing emphasis on class struggle,” he, “joined the French and was later trained by the Americans.”² Chau was convinced that “the political organization of the communists was more important than the low-level guerrillas,” and that the civil war in his country was a conflict, which involved “improving the lives of the country's poor and winning their allegiance—not about using guns and bombs, which did nothing but create more Viet Cong.”³ He realized, however, that there would be some Viet Cong who “would never give up and would have to be eliminated.”⁴

With the backing of President Ngo Dinh Diem, Chau began work with counter insurgency efforts against the Viet Cong. In 1962, he was assigned as chief of the large Kien Hoa province located in the Mekong Delta, spending three years there, “experimenting with alternative counterinsurgency methods.”⁵ While in Kien Hoa, Chau came to the realization “that the government faced several overlapping problems,” including its “intelligence system” which he referred to as “almost a joke,” since it was dependent “on informants who had served the state for years and who were often fed disinformation by the enemy.”⁶ This promoted a lack of knowledge in the province since it was not known “who the insurgents were or where they were operating.”⁷ Thus, since government forces possessed inaccurate information about the enemy or

their whereabouts superior officers “resorted to firepower-intensive operations that killed or wounded local residents.”⁸ Angry villagers became even further upset with “local officials and police officers, many of whom were incompetent, corrupt or both.”⁹

As a solution to these problems, Chau came up with the Census-Grievance program, which sent “teams of cadres to villages and hamlets under government control.”¹⁰ Upon arrival, the units would take a census of the inhabitants and then begin interviewing each adult townsman. Questions asked attempted to find out if the villagers felt “abusive local officials, whom Mr. Chau could then discipline or remove,” were taking advantage of them.¹¹ The primary objective of these interviews “was to collect more and better information about the enemy.”¹² Counterinsurgency expert David Galula explains the importance of the census, “A census, if properly made and exploited, is a basic source of intelligence, explains the importance of the census. It would show, for instance, who is related to whom, an important piece of information in counterinsurgency warfare because insurgent recruiting at the village level is generally based initially on family ties.”¹³

The other important and crucial contribution Chau advanced was counter terror teams, the genesis of Phung Hoang. Gaining assistance from the CIA, these squads comprised “small numbers of men trained to conduct clandestine missions in enemy-controlled territory.”¹⁴ Chau would obtain intelligence that indicated who the enemy was and his location then dispatch “three-man counterterrorism teams, “which would identify the hardcore leaders and kill them if necessary.”¹⁵ Thus, Chau and his CIA accomplices attempted to disrupt and eliminate the VCI.

Chau did know, however, that there were possibilities for abuse of his innovations. For example, a competitive and unethical business proprietor could “manipulate the Census-Grievance program” attempting to convince “the government that his local rival was a

Communist.”¹⁶ He also knew that his teams, without proper training and adequate supervision, might take to heart that they had a license to kill, and “commit murder.”¹⁷ To cope with this issue Chau utilized “inspectors to investigate reports of official wrongdoing.”¹⁸ He also condemned the practice of “deadly force” and suggested it should only be used as “a last resort, taken only after efforts to persuade enemy operatives to defect to the government had failed.”¹⁹

With Chau’s counterterrorism program in place, Phoenix began its rise in May 1967, when President Lyndon Johnson created “a new organization called Civil Operations and Revolutionary Development Support (CORDS).”²⁰ This military body was a part of the US pacification effort to win South Vietnamese ‘hearts and minds’ and placed all personnel and programs with the exception of the CIA, “under a single adviser at the provincial or district level.”²¹ Robert Komer, who had joined the CIA in 1947, served as a deputy to General William Westmoreland, commander of the US Military Assistance Command, Vietnam (MACV) from 1964 to 1968, and later served as Johnson’s National Security Adviser, headed CORDS. Visualizing problems “in the counterinsurgency effort, Komer and senior CIA officers created the Phoenix program,” to focus “on the leadership of the Viet Cong shadow government,” which had infiltrated South Vietnamese villages.²² The reasoning used to justify the operation was that once Viet Cong leaders were eliminated, their “followers would become disorganized or collapse outright.”²³ By creating coordination centers that would facilitate the sharing of South Vietnamese and American information about the shadow governments, single-source data could be corroborated which would diminish any “duplication of effort,” and connect “intelligence organizations to operational forces.”²⁴ Later, after ending his work at the Pentagon, Komer reflected on US efforts in Vietnam by commenting, “I would have done a lot of things differently and been more cautious about getting us involved.”²⁵ He also referred to the war as “a strategic

disaster which cost us 57,000 lives and a half a trillion dollars.”²⁶

Komer designated senior agency officer, Evan J. Parker, Jr., a Cornell graduate who in 1942 became a member of the Office of Strategic Services (OSS), forerunner of the CIA, primary responsibility for the creation of Phoenix. Parker had served in Burma during World War II, joined the CIA in 1949, and travelled to Vietnam in 1950, where he joined forces with Colonel Roger Trinquier, “France’s leading expert in counter-insurgency and opium smuggling.”²⁷ After collaborating with other CIA officers, Parker submitted a proposal to Komer that outlined the program’s framework. However, after taking the plan to MACV staff on June 14, 1967, it was rejected.²⁸ Not content with the MACV decision. Komer visited Westmoreland and US Ambassador to Vietnam Ellsworth Bunker who both wholeheartedly endorsed it. Parker became the director of Phoenix and “overall coordinator in Saigon.”²⁹ He, along with other CIA officers, were directed to set up and organize “the new program within CORDS, under the title Intelligence Coordination and Exploitation (ICEX).”³⁰ Under ICEX, District Intelligence and Operations Coordinating Centers (DIOCCs) were placed in various districts. These centers gathered intelligence from different agencies and submitted that information for review. DIOCCs also “handled tactical military intelligence and VCI intelligence.”³¹ Provincial centers in Vietnam had already attained effective intelligence coordination, so “the senior CIA officer in the province” along with “the province senior advisor supervised the establishment and functioning of the DIOCCs.”³² Province Intelligence Coordination Committees functioned to attain “cooperation of GVN agencies not tied to the CIA”³³

Another CIA officer Theodore Shackley, one of the Agency’s most decorated operatives, assisted Komer with running the program and recruiting personnel. The CIA recruited Shackley while he served in the Army as a counter intelligence agent. He was a station chief in Miami and

headed the CIA operation codenamed JM WAVE, a secret intelligence gathering effort involved with the May 1961 Bay of Pigs invasion of Cuba. Five years later, Shackley traveled to Vietnam and became station chief in Laos from 1966 to 1968. During that time with Phoenix, he “managed (600 military and (40-50) CIA liaison officers) who were working with South Vietnamese officers in 40 provinces.”³⁴ Shackley and Komer utilized Cuban refugees who served as covert activity officers during “the Bay of Pigs fiasco,” to run “the CIA’s Counter-Terror (CT) Teams, which were in fact assassination squads.”³⁵ The two bosses along with William Colby, future director of Central Intelligence, reported Phoenix efforts to then “DCI Richard Helms and the White House.”³⁶

Another one of the originators of Phoenix was Peer DeSilva, a former World War II Army officer who Lyndon Johnson appointed CIA station chief in Saigon following the assassination of South Vietnamese President Ngo Dinh Diem. Seeing the conflict in Vietnam as a political struggle, DeSilva advocated a counter insurgency policy to combat the VCI and the reign of terror that was being inflicted upon rural South Vietnamese residing in the villages and hamlets. As he saw it, the CIA needed “to bring danger and death” to Viet Cong terrorists who were furthering the evil Communist cause.³⁷ DeSilva viewed “information management” as crucial to winning a war involving political struggles. He perceived counter terrorism as being the same as terrorism except that its use against the ‘cold blooded’ VC was justifiable because of their malevolent ideology.

Peer DeSilva became even more aware of Viet Cong counter insurgency on March 30, 1965. That day started off like any other for the station chief. After spending some time in the morning reviewing his daily tasks, he took a break and went outside to shop for “ceramic elephants for his wife in the Philippines.”³⁸ Returning to his office, he placed a phone call to one

of his workers, and during the conversation he looked out the window and observed an old automobile being pushed up the road in front of the embassy where he worked. Thinking the car was broken down, he noticed that the Vietnamese man pushing it suddenly “disappeared up a side street and the driver began arguing with the guard who came out to challenge these men.”³⁹ In the next moment, DeSilva came to a stark realization that the “old grey Peugeot was a car bomb.”⁴⁰ The resulting explosion critically injured him, killed his secretary, “another American, a Filipino and nineteen Vietnamese,” besides injuring nearly two hundred other people.⁴¹ The bombing acted not only to intensify DeSilva’s commitment to counter terror, but also prompted Lyndon Johnson to “order the first contingent of American combat troops” in Vietnam, and the CIA to revamp and strengthen its counter intelligence operations.⁴²

Following the attack, DeSilva was sent to Washington, to serve as special assistant for Vietnam affairs to DCI William Francis Raborn Jr. Then in 1966, he became a CIA counter insurgency adviser in Thailand. DeSilva wrote several books about his experiences in Vietnam and disclosed information related to the genesis of Phoenix. In *Sub Rosa*, his autobiography, he refers to his arrival in Vietnam in 1963, and an introduction to terror, VC style. DeSilva arrived in a village and witnessed “three impaled bodies” and an “unborn child lying in the dirt.”⁴³ Shortly before DeSilva came upon this gruesome sight, “Two VC cadres had impaled a young boy, a village chief, and his pregnant wife on sharp poles,” then with a machete “disembowel the woman, spilling the fetus onto the ground.”⁴⁴ DeSilva was responsible for the initial development of interrogation centers and the PRUs. He maintained that the military strategy known as "counter terror" was a legitimate method of terrorism for utilization in Vietnam’s scheme of unconventional conflict, and that it was necessary to tactically apply specific techniques of counter terrorism on civilians who fought for the enemy to reduce rural support for

the VC. The PRUs were designed with this idea at the forefront and started committing acts of terror on VC suspects as early as 1964. At first, the PRUs were referred to as "Counter Terror" teams, but then the squads were renamed "Provincial Reconnaissance Units" because the CIA "became wary of the adverse publicity surrounding the use of the word 'terror'."⁴⁵

It must be mentioned that the CIA operates under an us versus them philosophy. In Vietnam, the term counter terrorism was just another word for terrorism except that it was justifiable since it was being used by us, the CIA, the United States, and "our proxy, the Government of Vietnam (GVN)," for the purpose of providing "the GVN with "internal security," against them, the VCI infrastructure.⁴⁶ With the assistance of the Vietnamese secret police, who "established a nation-wide informant network to identify VCI and their sympathizers," CIA undercover agents were able to recruit informants throughout Vietnam.⁴⁷ To facilitate interrogation, torture, and termination, the GVN's *an tri* Laws were utilized. Passed in 1965, "Emergency Decree Law 3/65, 41... provided for "administrative detention of persons considered dangerous to the national security, without court hearing."⁴⁸ Later, the George W. Bush administration used the same type of law to detain suspects at Abu Ghraib prison.

Preliminary information regarding Phoenix appears in a primary document entitled *Memorandum from the Special Assistant for Vietnamese Affairs, Central Intelligence Agency (Carver) to Secretary of Defense McNamara*, dated July 26, 1967. The subject addressed in the memo is listed as "The Attack on the Communist (Viet Cong) Organization and Its Supporters, Particularly at the Village and Hamlet Level."⁴⁹ The report identifies five components applicable to Phoenix, their objectives and outcomes. The first program listed is the Hamlet Informant Program, aimed at "hamlet residents and villagers recruited as secret informants... to report on the identities of Viet Cong cadre and sympathizers (village and district committee members,

propagandists, tax collectors, etc.), and on members of local guerrilla forces.”⁵⁰ The memo indicates that the program with more than “four thousand informants...recruited (throughout South Vietnam) produces around four thousand reports each month” on activities undertaken which includes “identification and biographic information on individual VC and frequently include sketches of their location within a hamlet.”⁵¹ The Census Grievance Program, whose objectives were detailed previously is considered next. The note indicates that “As of 1 June 1967, approximately 4,000 Census Grievance units with about 5,250 cadre, were providing information on VC personnel, installations, caches, etc. These units (one to a hamlet) produce about 1,800 reports per month.”⁵² PICs (fig. 1.2), with an objective to interrogate and exploit “captured, arrested and defected Viet Cong” are then discussed.⁵³ The PIC also compiles reports and then distributes them “to Vietnamese US/Free World Forces at district, province and higher echelons, as appropriate.”⁵⁴ PRUs, at the time located in 28 provinces, in charge of directing “special operations against the VC” were reported to by the end of April, 1967 to have “conducted 1,658 operations, from which 2,340 reports were produced. A total of 814 VC captured in these operations provided substantial information on the VC organization, from hamlet to province level.”⁵⁵ The memorandum concludes that at an early stage of operations, these programs accompanied by ICEX coordination were in place “to achieve a unified line of command and a sharp stimulation of anti-infrastructure operations.”⁵⁶

Christian G. Appy, Professor of History at the University of Massachusetts at Amherst argues that since Phoenix utilized assassination in its counter terror campaign, it violated the Geneva Convention agreements formulated in 1949, which specify standards pertaining to international law and humane treatment of prisoners during war. Article 130 of the convention lists actions that are violations and “grave breaches” which include “willful killing, torture or

inhuman treatment.”⁵⁷ Appy contends that since Phoenix relied on assassination as part of the neutralization process, it “was a war crime by definition, regardless of debates about whether its victims were accurately targeted or not.”⁵⁸ Originally the term ‘neutralize’ according to Richard S. Winslow, a former employee of the US Agency for International Development (USAID), was referred to in “Phoenix program language” as “elimination” but since that word “gave the unfortunate impression to some Congressmen and the interested public that someone was being eliminated” neutralize became the official designation.⁵⁹ Appy also maintains that a major problem that arose from Phoenix indiscriminate killings is that when operatives went into a Vietnamese village and killed or abused family members of a suspected infiltrator, those who survived obviously were devastated, and in many cases became “a card-carrying Viet Cong by the next afternoon.”⁶⁰ Retired general Bruce Palmer, who commanded the Ninth Infantry Division in Vietnam in 1968, echoes Appy’s sentiments when he states “My objection to... [Phoenix] ..., was the involuntary assignment of US Army officers to the program. I don't believe that people in uniform, who are pledged to abide by the Geneva Conventions, should be put in the position of having to break those laws of warfare.”⁶¹

Standard operating procedures for Phoenix exist in an advisor handbook (fig. 1.5) assembled by the US Military Assistance Command. Guidelines promoted assistance for US advisors “toward the sustained attack on the VC Infrastructure.”⁶² The manual provides background information on the program, its organization, and procedural rules involving the arrest and apprehension of targeted individuals. It also stresses the importance of “widespread dissemination of information about the PHUNG HOANG Program,” including face-to-face persuasion, posters, handbills, newspapers, leaflets, radio, television and motion pictures.”⁶³ The booklet emphasizes the fingerprinting of all suspects, which supposedly, would “have a

suppressive effect, both real and psychological, on the freedom of movement of the VCI.”⁶⁴

The handbook begins with an introduction by General Creighton W. Abrams, commander of the United States Army in Vietnam from 1968-1972. It briefly summarizes the objectives of the program, and the purposes of the guidelines required for implementation by advisors. The introduction specifies at the outset that the advice provided by all US advisors involved with Phung Hoang must be “coordinated and in accordance with the objective of the program.”⁶⁵ It also notes that the “guidelines parallel but do not supplant existing Standard Operating Procedures, Directives, Regulations, or Circulars,” and are to be used only as a guide.⁶⁶ Abrams also stipulates that the National Police possesses primary responsibility in the coordination of “all agencies” mounting attacks on the VCI.⁶⁷ All US advisors, not just those assigned to Phung Hoang are to use the handbook as a reference.⁶⁸

Information contained in the handbook, related to program operations is particularly noteworthy. First, even though the handbook clearly indicates the overriding goal of neutralization it never provides a definition of the term. It only mentions data collection and reporting applicable to that objective. Second, assimilation of interrogation reporting is outlined, but nothing is stated concerning methods to be implemented. Third, a timeline of investigative procedures involving potential VC are listed which include detainment by the National Police for up to five days until the individual reaches the Province Interrogation Center where he could be kept “for as long as 30 days.”⁶⁹ At the end of that time, the Province Security Committee (PSC) has seven days to either sentence, release, or hold the individual over for “trial by Military Court.”⁷⁰ However, another section of the handbook notes that the PSC “may impose administrative detention of up to two years upon those reasonably believed to threaten the national security.”⁷¹ Fourth, detainees are classified in either of two categories, civil defendants

or prisoners of war (PW). The latter include VC and military personnel, while the former consist of “civilian PRP [People’s Revolutionary Party] members and VCI cadre.”⁷²

Another handbook issued in 1968 to assist with Phoenix operations was entitled *The VC Key Organization from Central Level down to Village and Hamlet Levels*. This CIA issued manuscript delineated the VCI for program advisors. The document provides detailed information about the PRP, the NLF and the Liberation Army. The latter two “military units are directed and controlled by the PRP.”⁷³ Party structure is also contained in two charts, one showing hierarchy “from [Central Office for South Vietnam] (COSVN) to village level,” and the other “a typical province party structure,” in “Quang Ngai.”⁷⁴ The handbook also mentions that several sub groups of the NLF were used to integrate various members of Vietnamese society into the promotion of the war effort. These include the “Liberation Farmer's Association, the Liberation Women's Association, and the Liberation Youth Association.”⁷⁵

The Phoenix program utilized various methods of counter terrorism, referred to by some historians as ‘state terrorism,’ during its existence, which lasted until 1972. The objective to “neutralize” the VCI, involved blacklisting South Vietnamese civilians who would then “be kidnapped, tortured, detained” without a trial, “or even murdered, simply on the word of an anonymous informer.”⁷⁶ CIA agents and assets would infiltrate, capture, interrogate, and if needed, assassinate anyone that they determined was supportive of the National Liberation Front (NLF) or VCI. Phoenix managers imposed monthly quotas on field support, which reached a high of “eighteen hundred neutralizations,” many of which occurred at night and employed psychological warfare techniques involving the murder of VCI along with their families. Some estimates indicate that “as many as one third of VC targeted for arrest were summarily executed.”⁷⁷ These horrific acts of counterterrorism “were for propaganda purposes, often made

to look as if they had been committed by the enemy.”⁷⁸

This type of propaganda is also known as “‘black backfire’, in which a perpetrator takes an action designed to generate outrage against the target, by making the target appear to be the perpetrator of an attack.”⁷⁹ In this case, however, “local Vietnamese villagers” knew the countryside so well that “movement in the area was enough to uncover the US falsification.”⁸⁰ Thus, the effort further antagonized the Vietnamese “against the US and US-sponsored forces,” and produced a “reverse effect to that intended by American planners,” so the “attempt at black backfire... failed.”⁸¹

Phoenix also used other tactics besides torture which are described in the next chapter, during its attack on the VCI. Some of these methods preyed on the ideological beliefs of the Vietnamese. Edward Lansdale, a Major General in the United States Air Force who served in the OSS during World War II, and later with the CIA, perfected some of these methods while assisting the Philippines Armed Forces intelligence during their fighting with the Hukbalahap, a communist guerrilla movement. In 1959, he was given the task of putting together a course on guerilla fighting in the Special Warfare School at Fort Bragg, North Carolina. This training facility, originally set up at Fort Riley, Kansas in 1950, and moved to North Carolina in 1952 is responsible for the recruitment, assessment, selection, training, and education of Special Forces in doctrines pertaining to psychological and unconventional methods of combat. While developing the course of study, names were proposed that included “counterguerrilla operations,” then “counter resistance,” followed by “counter revolutionary,” until finally the class was called “Counter Insurgency Operations [CIO].”⁸² The courses first students, in 1961, “were CIA operatives and foreign military officers.”⁸³ However, as the Pentagon progressed in stressing the need for this type of training, “more American officers enrolled” and additional

complementary instruction was provided through the Air Force and the Navy, “leading to the creation in 1962 of the first SEAL (Sea, Air, Land) teams to serve as Naval commandos.”⁸⁴ With the information provided in Edward Lansdale’s CIO, Special Forces moved on to Vietnam and some of them became Phoenix operatives and incorporated what they had learned about counter insurgency in the fight against the VCI.

Lansdale became an expert on the use of psycho terror, while in the Philippines, and took advantage of the Filipino’s superstitions regarding vampires, getting “his agents to spread rumors that vampires were infesting the area the local guerrillas were camped.”⁸⁵ After allowing time for the message to be delivered, he had his Commandos grab “a guerrilla bringing up the rear of a column,” then “drained his body of blood and then left it along the trail to be found the next day.”⁸⁶ The tactic was successful and “the Guerrillas fled the area.”⁸⁷ Lansdale also had his men “paint an eye facing the front door of those they suspected of supporting the guerrillas as a threat before later kidnapping killing and torturing them.”⁸⁸ This tactic was referred to as the “eye of God” which acted “to terrify their target and let them know they were being watched.”⁸⁹

In Vietnam, Phoenix operatives used variations of both these strategies. They capitalized on Vietnamese beliefs concerning life after death to enhance “additional horror to their murders.”⁹⁰ Since the Vietnamese thought “the liver and the third eye” were essential to “reaching heaven,” CIA officers would have their PRU teams “cut out their victim’s pineal gland and even have them eat their liver.”⁹¹ As a result, this would not only cause their victim’s demise but also deny their soul’s a life in the hereafter.⁹² Operatives would also paint “the eye of god... on corpses” and use variations of the technique which included flying “over their targets addressing the guerrillas by name and telling them to surrender now before it was too late” and putting “up wanted posters to keep NLF cadres from being able to travel freely.”⁹³

Chapter 3

Phoenix Interrogation Methods

The horror! The horror!
-Joseph Conrad

Phoenix operatives utilized different techniques during the interrogation process to elicit information from potential Vietcong and NLF members. Once a targeted individual was captured, the examination process would begin. Methods of torture included: “rape, gang rape.”¹ Other cruel techniques like “waterboarding (fig. 3.4), beatings with rubber hoses and whips, the use of dogs to maul prisoners, and electric shock rendered by attaching wires to the genitals or other sensitive parts of the body, like the tongue,”² Some reports indicate that a type of torture referred to as the “airplane” was used. This practice involved tying a prisoner’s arms behind their back with a rope wound around “a hook on the ceiling, suspending the prisoner in midair, after which he or she was beaten.”³ Another method involved placing the suspect in “extended solitary confinement” under “indescribably inhumane conditions.”⁴ One Vietnamese victim accused of throwing a bomb, expressed to a translator “that he had been hung up by his thumbs and that they beat him real bad.”⁵ K. Barton Osborn, a military intelligence operative, testified before Congress that during the year and a half he served in Phoenix he observed “acts of torture including the prodding of a person’s brain with a six inch dowel through his ear.”⁶ And unsurprisingly maintained that “not a single suspect survived interrogation.”⁷ Osborn also noted that “Quite often it was a matter of expediency just to eliminate a person in the field rather than deal with the paperwork.”⁸

A further note on waterboarding and its use demonstrates why it once was and remains a common method of torture. The practice was first referred to as the “water cure,” in 1902.⁹ US soldiers stationed in the Philippines from 1899 -1902 during the Philippine Insurrection, “a

conflict between the United States and indigenous Filipinos fighting for independence from U.S. occupation,” were rumored to be practitioners of the ‘cure.’¹⁰ Outcry against waterboarding came up in hearings before the 1902 Senate Committee on the Philippines. There, Chief Justice of the Supreme Court William Howard Taft presented a definition of the interrogation technique, while commenting on its early use. He stated, “instances of water cure, that torture which I believe involves pouring water down the throat so that the man swells and gets the impression that he is going to be suffocated and then tells what he knows ... was a frequent treatment under the Spaniards.”¹¹ The future president went on to say, “American officials did not tolerate such abuses and swiftly brought those involved to justice.”¹² Many years later in 1968, a photo (Appendix) appeared on the front page of the *Washington Post* showing “a U.S. soldier supervising the waterboarding of a captured North Vietnamese soldier near Da Nang. The caption said the method induced “a flooding sense of suffocation and drowning meant to make him talk.”¹³ In 2017, Nils Melzer, the United Nations Special Rapporteur on torture, stressed, “Without any doubt, waterboarding amounts to torture. Any tolerance, complacency or acquiescence with such practice, however exceptional and well-argued, will inevitably lead down a slippery slope towards complete arbitrariness and brute force.”¹⁴

It should be noted that definitions of what constitutes torture vary. Some define it as “the infliction of *severe* physical pain on a defenseless person.”¹⁵ Others have referred to the practice as “the infliction of *any* pain on a defenseless individual.”¹⁶ Based on the latter definition, it is apparent that the vast “majority of South Vietnamese interrogators tortured some or all of the Communist prisoners,” in confinement.¹⁷ Under Phoenix, “the frequency and method of torture varied.”¹⁸ A study conducted in 1968, by John Lybrand and Craig Johnstone found widespread use of electric shock, “with almost all advisors admitting to have witnessed instances of the use

of these methods.”¹⁹

In addition, it is important to realize that psychological torture techniques used in Phoenix had been codified in 1963, in a classified counterintelligence manual, finally declassified in 1997, codenamed KUBARK, “a cryptonym for CIA itself.”²⁰ The agency then proceeded to disseminate the new ‘no touch’ practices, referred to as “sensory disorientation,” across the globe beginning with the US Agency for International Development (USAID) Office of Public Safety, “established by President John F. Kennedy in 1962,” to fight communism.²¹ From there the practices were sent “to police departments in Asia and Latin America,” and finally in the mid-1970s, to “US Army Mobile Teams active in Central America during the 1980s.”²² KUBARK’s authors “are anonymous” but were quick to take credit through an emphasis on previous psychological research regarding the methods used to question potential suspects. As they put it, “one could not mention interrogation techniques without reference to the psychological research conducted in the past decade.”²³ The manual contains specific references to experiments conducted by Donald O. Hebb of McGill University and Donald Wexler of Harvard, whose research concluded, “deprivation of sensory stimuli induces regression” and “calculated provision of stimuli during interrogation [strengthens] the subject’s tendencies toward compliance.”²⁴

Steven M. Kleinman, former Director of both the Air Force Combat Interrogation Course, and Director of Intelligence at the Personnel Recovery Academy, a unit of the Joint Personnel Recovery Agency that serves as Department of Defense agency responsible for overseeing Survival, Evasion, Resistance, and Escape (SERE) training for US military personnel, reviewed and prepared a written analysis of the KUBARK manual. He emphasizes that “interrogation is defined both by its intensely interpersonal nature and intractably shaped by the

unique personalities of the interrogator and the source.... [E]ach interrogation is unique and therefore one must be cautious in trying to apply a strategic template that would prove effective in each case.”²⁵ Kleinman also argues that a substantial amount “of ‘what we know’ about interrogation” which includes, “approach methodology, the detection of deception, and reading body language – is...largely unsubstantiated....adulterated by the principles of coercive interrogation drawn from studies of Communist methodologies.”²⁶ The KUBARK handbook stresses the need for non-coercive methods over coercive techniques, arguing that the latter “may prove ultimately counterproductive.”²⁷ The authors also fail to “portray coercive methods as a necessary — or even viable — means of effectively educing information.”²⁸ Not particular about the ways they conducted interrogations, Phoenix operatives utilized the proven psychological, supposedly non-forcible methods, with coercive physical torture that induced pain, suffering and sometimes death to break down and neutralize the VCI.

KUBARK utilizes information from Lawrence Hinkle Jr. and Harold Wolff who “conducted studies of servicemen who had been prisoners of the Communist Chinese” and other individuals “subjected to Soviet interrogations.”²⁹ These studies concluded that both China and the Soviet Union employed “traditional police-state methods of extracting information from their prisoners.”³⁰ The researchers also observed that “in no case is there reliable evidence that neurologists, psychiatrists, psychologists or other scientifically trained personnel have designed or participated in these police procedures,” or any implication that the methods used “are scientifically organized techniques of predictable effectiveness.”³¹ Referencing Hinkle and Wolff, KUBARK mentions a specific caveat regarding coercive police-state techniques used by not only the Chinese and the Soviets but also later by Phoenix operatives; “Any attempt to produce compliant behavior by procedures which produce...disturbances of homeostasis,

fatigue, sleep deprivation, isolation, discomfort, or disturbing emotional states carries with it the hazard of producing inaccuracy and unreliability.”³² Even with this warning, paradoxically the manual stresses that the interrogator should “exploit every available advantage aggressively,” to accomplish “his true goal—the acquisition of all needed information by any authorized means.”³³

Witnesses to torture inflicted by interrogators include various groups and individuals. A team of American Quaker relief workers visited a PIC in Quang Ngai province and reported that several prisoners “had been severely beaten or forced to drink whitewash,” a mixture of salt, lime, and water used in painting.³⁴ While visiting “the prison ward of the province hospital, they saw three prisoners who spent eleven, thirteen, and fifteen months, respectively, handcuffed to their beds.”³⁵ When the workers voiced their objections to the harsh treatment of these individuals, “South Vietnamese officials” as well as their “American province advisers” informed them that “they would no longer be allowed to see patients who were prisoners.”³⁶

Testimony from Phoenix team members corroborates the torture that was an integral part of the operation. One CIA agent stationed “at the National Interrogation Center in Saigon” related to Anthony Russo, mentioned later in this paper, how he had witnessed many incidents that involved “the Agency’s torture techniques, including in one case the hanging of a man by his feet while a piano wire noose was slipped around his genitals.”³⁷ According to Russo, the operative smiled “as he told him that the prisoner never talked.”³⁸ Further examples of torture inflicted by Phoenix interrogators came out in 1972 Congressional hearings. They described atrocities such as pushing interviewees out of planes, cutting off their “fingers, ears and testicles” and ramming “electric probes into the rectums of others.”³⁹

Another example of torture was inflicted upon Nguyen Van Tai, who, according to former CIA agent Frank Snepp, was “the highest-ranking Vietcong intelligence officer we’d ever

captured.”⁴⁰ While detained, Phoenix operatives subjected him to multiple methods of hostile interrogation including “electro-torture, water torture, beatings, stress positions, sleep deprivation,” and confinement “in a freezing refrigerated room with white walls and no windows for two years.”⁴¹ Remarkably, after undergoing all these harrowing practices, Tai never confessed his true identity or provided any other useful information, emphasizing to his captors that his role was one of “a simple farmer who came south to support the liberation forces.”⁴² Tai’s case was one like many others where “responsiveness to traditional interrogation techniques...hardened his resistance.”⁴³ Unfortunately, as records provided in this paper indicate there were also thousands of Phoenix victims who succumbed to the agony brought on by their captors, confessed to being a VC, and ended up dead.

Snepp authored an international best seller entitled *Decent Interval: The American Debacle in Vietnam and the Fall of Saigon*. The book is a scathing critique of the CIA and the United States exit from Vietnam. Snepp includes in his narrative, experiences with Phoenix and “the months he spent torturing Nguyen Van Tai.”⁴⁴ After inflicting the previously described coercive methods on the suspected Vietcong cadre, Snepp received a command from a “senior CIA official” that Tai should be made to disappear.⁴⁵ So in response to a direct order, he was put on board “an airplane and thrown out over the South China Sea.”⁴⁶ Of course as Robert Burns once wrote “The best-laid plans of mice and men often go awry,” this was the case with Tai, since he “survived” and later served “in the National Assembly” and received “his country’s highest wartime decoration.”⁴⁷

Other examples of torture used by Phoenix interrogators include the following. A Vietnamese woman who would not talk to an interviewer had a wet rag soaked in lye soap placed over her face. As she attempted to breathe and inhaled the corrosive lye, the examiner

allowed her to take a breath to avoid suffocation and then quickly proceeded to slap the cloth “back against her face.”⁴⁸ The woman then began gagging and finally “started to speak in sobs” providing the interrogator with “the information he sought.”⁴⁹ Another particularly gruesome account mentions how a detainee had one of their “eyeballs gouged out with a spoon.”⁵⁰ Yet another technique involved using “K-bars [combat knives] to saw on people till they got down to the bone.”⁵¹

A unique mission undertaken by Phoenix that exemplifies torture inflicted via medical experimentation occurred in July 1968. CIA psychologists, accompanied by a skilled neurosurgeon and a neurologist organized a laboratory at Bien Hoa Prison near Saigon where suspected NLF members, gathered up by Phoenix squads were being detained.⁵² The CIA had previously administered LSD to NLF officers, “hoping that by inducing irrational behavior, the seemingly unbreakable solidarity of their captives could be broken, and that other inmates” would start talking.⁵³ Since this method failed to prove successful, the psychologists decided to conduct other experiments. In one, after administering anesthesia, tiny electrodes were implanted in the brains “of three Vietcong prisoners.”⁵⁴ Following this operation, the CIA doctors used “radio frequencies ... to cause their subjects suddenly to defecate or vomit.”⁵⁵ Once this procedure was completed, the subjects were placed in a room and provided with knives. The CIA men, secretly viewing the activity, would then press “the control buttons on their handsets,” in an attempt “to arouse their subjects to violence.”⁵⁶ The objective was to use the experiments to prompt the prisoners to attack each other. After unsuccessful attempts to induce violence lasting the duration of a week, the scientists gave up, and the Vietcong guinea pigs “were shot by Green Beret troopers and their bodies burned.”⁵⁷

Another torture test conducted at Bien Hoa that preceded the electrode experiment

involved a common Phoenix interrogation tool, electroshock. In 1966, the CIA sent three psychiatrists to Saigon, including Dr. Lloyd Cotter, a teaching consultant at Pacific State Hospital in California.⁵⁸ Utilizing a Page-Russell electroshock device, the doctors attempted to depattern, or remove normal patterns of thinking and behavior, from Vietcong prisoners, who were “classified as ‘typical cases of Communist indoctrination’.”⁵⁹ The first soldier was shocked multiple times over the course of a week, and Dr. Cotter observed “evident improvement in [his] behavior.”⁶⁰ However, even though this was noted, the man was administered an additional “sixty electro-shocks,” and “died.”⁶¹ Not content with the results of his experiments, Cotter administered “several thousand shock treatments” over the summer, and at the end of “three weeks, the last Vietcong prisoner was dead.”⁶² The CIA physicians, finally realizing the failure of electroconvulsive treatment to break the VC, boxed up the Page-Russell and flew home to Langley.

The CIA had been experimenting with various types of mind control for many years beginning with the establishment of MKULTRA in 1953. At that time, during the Cold War, the United States was worried that the USSR, China, and North Korea were utilizing mind control through the brainwashing of POWs in Korea. The foundational philosophy behind this operation was that drugs or interrogation procedures could weaken an individual causing them to elicit confessions and thus enhance intelligence gathering. Besides experiments like the ones mentioned in the previous paragraph involving electrodes, and LSD, hypnosis, sensory deprivation, isolation, verbal and sexual abuse, and various other forms of torture were employed. Many of these same techniques carried over from MKULTRA into the Phoenix repertoire of terror. Facilitated by an unlimited budget and unchecked power, Phoenix involved a combination and integration of the “most advanced interrogation techniques” ever devised.⁶³

Encompassing a strategy of questioning suspects through the infliction of torture, “Phoenix was the culmination of the CIA’s mind-control project.”⁶⁴

Some scholars, such as Mark Moyar, Director of the Project on Military and Diplomatic History at the Center for Strategic and International Studies, a think tank located at Georgetown University, have concluded that the torture administered through Phoenix was promoted primarily within the ranks of members who were part of the Government of the Republic of Vietnam (GVN). He contends, “most GVN leaders allowed or even encouraged their subordinates to torture their prisoners.”⁶⁵ Conversely, CIA trainers and US military personnel attempted to circumvent efforts on the part of American and GVN workers to conduct torture. They were instructed that if the inhumane practices could not be deterred, to exit the scene. The contention of American leaders was that “torture only caused prisoners to blurt out lies to save themselves and that it was immoral.”⁶⁶ Moyar does admit however, that the occurrence of torture “depended heavily on the beliefs of the people with immediate access to prisoners.”⁶⁷

Moyar also argues that torture utilized by Phoenix operatives was effective in eliciting information from the enemy. He bases this claim on interviews he conducted with both Americans and South Vietnamese advisers. As he puts it, “so many American and Vietnamese interviewees testified to the effectiveness of torture that there can be no doubt that it extracted useful information in some cases.”⁶⁸ He also compliments “the ability of the interrogators to distinguish fact from fiction” which permitted “them to discern lies.”⁶⁹ However, his position is not supported by information in the Phoenix database analyzed by Kalyvas and Kocher discussed earlier in this thesis. Besides that, Moyar indicts his own claim when he provides a quote from John Mullins, a former Green Beret and Studies and Observations Group (SOG) officer in 1968-69, and Provincial Reconnaissance Unit (PRU) Advisor in 1969-70. Mullin noted, “If you put

people under physical duress, they'll tell you anything, just to get you to stop hurting them.”⁷⁰

Further disagreement with Moyar's take on Phoenix comes from Jeremy Kuzmarov, assistant professor of history at Tulsa University. He spent several months studying data about Phoenix contained in the USAID's Public Safety Division files. After reviewing that information and the perspective presented by Moyar, he argues that the PRUs, consisting of “50-to-100-man strike forces,” should not be praised for their efforts.⁷¹ Instead, he indicates that the CIA backed units “served as one of the most brutal and corrupt colonial proxies of the United States in its history.”⁷² He describes the Phoenix teams as “hunter-killer squadrons” whose primary objective “was to eliminate the “Vietcong” infrastructure (VCI) through use of sophisticated computer technology and intelligence gathering techniques and through improved coordination of military and civilian intelligence agencies.”⁷³ Contrary to Moyar's defense of the operation, Kuzmarov contends, “the PRUs partook in indiscriminate brutality, failed to infiltrate the upper-echelon of the revolutionary apparatus,” besides being “riddled by inaccurate reporting and bribery.”⁷⁴ His basis for these claims can be found in “internal reports on record at the National Archives,” which show that PRU teams “used their positions for revenge purposes and for shakedowns and extortion, threatening to kill people and count them as VCI if they did not pay them huge sums.”⁷⁵ Since the South Vietnamese army, formed by the United States had such a high number of defectors, many of those recruited into service “were criminals or thugs who used the program to advance their own agendas.”⁷⁶ Confirmation of this contention comes from Elton Manzione, a Phoenix agent who stated that the PRUs were made up of “a combination of ARVN deserters, VC turncoats and bad motherfuckers; criminals the South Vietnamese couldn't deal with who were turned over to us. Some actually had an incentive plan: If they killed X number of commies, they got x number of years off their prison term.”⁷⁷

Kuzmarov also criticizes Moyar on his claims that veterans who testified about Phoenix brutality, such as K. Barton Osborn, possessed a lack of credibility since they were psychologically traumatized from their experiences while fighting in Vietnam. Kuzmarov claims this to be a common tactic used by defenders of the American war effort, which is false. As support for his claim he cites the work of Deborah Nelson and Nick Turse, who surveyed hundreds of declassified files at the National Archives, and discovered “that the army in fact investigated many of the allegations of atrocities by antiwar veterans which turned out to be almost all accurate.”⁷⁸

The Province Interrogation Centers (PICs), first “opened in August 1965 at Nha Trang, in Central Vietnam,” were designed and built to facilitate the questioning and detainment of potential Vietcong.⁷⁹ They were constructed “by a CIA front company Pacific Architects and Engineers (PA&E).”⁸⁰ The centers were eventually placed in all of South Vietnam’s 44 provinces (fig. 3.1).⁸¹ Phoenix managed, supervised, and incorporated most of the CT [Counter Terror] teams” in the PICs (fig. 3.2).⁸² During the interrogative process, “the CIA learned the identity and structure of the VCI in each province.”⁸³ The buildings were one story high and composed of small rooms and a cellblock with “twenty to sixty solitary confinement cells the size of closets.”⁸⁴ The cells had a slot at the top where you could view the prisoner and an opening at the bottom through which food could be passed. No toilets were placed in the cubicles, instead inmates merely used a hole in the floor when they had to urinate or have a bowel movement. Beds for the prisoners consisted of concrete slabs and depending on how cooperative they were with the PIC operators, some might obtain “a straw mat or a blanket” to help keep them warm, since “it could get very cold at night in the highlands.”⁸⁵ Imprisonment insured complete isolation for the captives. They were not allowed to walk around outside and

merely sat in their cells when they were not being questioned. After finally leaving the PIC, they were either “sent to the local jail, or were turned over to the military, where they were put in POW camps or taken out and shot.”⁸⁶

CIA officers in the PICs oversaw interrogation of nonmilitary prisoners. These advisers chose South Vietnamese to conduct the questioning and sometimes conducted the interview themselves through an interpreter.⁸⁷ However, these translators “were not always reliable,” and the Vietnamese detainees were predisposed not to “answer questions directly and immediately,” especially when the ones asking the questions were foreigners.⁸⁸ Thus, US interrogators were not as likely to formulate “the best way to structure the sessions.”⁸⁹ Compounding this problem was the fact that “the GVN often held more prisoners than the Americans could handle by themselves.”⁹⁰

Orrin DeForest, former Special Agent for the Air Force Office of Special Investigations (AFOSI), served in the Army’s Criminal Investigation Division (CID) as a warrant officer during his assignment in Vietnam from 1966 to 1967.⁹¹ He provides firsthand information concerning interrogation methods used in PICs.⁹² At the end of his service with CID, DeForest became a CIA contractor, and “chief interrogator for Military Region Three” based out of Saigon.⁹³ There, in Bien Hoa province he oversaw “interrogations of Vietcong prisoners housed at the PIC,” trained “South Vietnamese interrogators,” and identified “prisoners who could be recruited as informants and used to infiltrate their former Vietcong units.”⁹⁴

While serving as chief interrogator, DeForest was provided with four teenage Vietnamese ‘experts’ to assist with intelligence gathering.⁹⁵ Frustrated with these youngsters endeavors he made sure they stayed in the PIC while he travelled across the region and assessing “CIA collection efforts.”⁹⁶ On one occasion upon returning to the PIC, he witnessed the interrogation

of a 15 year old female suspect, by his young ‘experts.’ To aid them in questioning the young woman, the teenagers had inserted “a broomstick into her vagina.”⁹⁷ DeForest then discovered that “his South Vietnamese counterparts in the PICs,” commonly used torture to get prisoners to divulge information.⁹⁸ Their inability to gather and assimilate “intelligence for use in interrogations had resulted in a lack of leverage over prisoners,” and torture became the means to an end, regardless of the degree of pain and suffering it caused the victim.

Orrin DeForest was an extremely skilled interrogator. After witnessing methods of coercive torture, he became convinced that there were much better techniques that could be used to generate reliable intelligence. As opposed to information gathering via harsh interrogation practices which “had no way of producing except by beating the hell out of suspects,” and “no way to verify the stories,” DeForest concluded that building a “rapport with interrogatees by treating them with sincerity and kindness,” was a far superior method.⁹⁹ After utilizing this system for several years, he organized a team that did not torture and that built a database of some twenty thousand cards.¹⁰⁰ However, even though “DeForest’s interrogation operation was both comprehensive and effective,” in the latter years of US involvement in Vietnam, the CIA preferred torture practices administered in Phoenix as a mainstay of counterinsurgency efforts advanced over time throughout the world.

Chapter 4

Phoenix: Perspectives and Impacts

The meaning of this program, like much of war, remains an enigma surrounded by controversy.
-Richard A. Hunt

Analysis of the effectiveness of Phoenix as a counterinsurgency tool is mixed. Douglas Blaufarb, a former CIA operations officer and station chief in Laos, who became a security affairs analyst for the Rand Corporation after he retired, calls the operation a failure.¹ What started out as an endeavor which attempted to promote management through the integration of “scattered and diverse efforts by often competing and duplicating units,” and “eliminate inefficiencies” aimed at “what many believed to be the enemy jugular,” the program ended up being a “mismatch of enthusiastic American managerial technique with Vietnamese indifference.”²

Blaufarb contends that assumptions on the part of the military and US intelligence were made regarding operational issues that damaged Phoenix objectives and diminished pacification. The first of these expectations was that “Vietnamese intelligence services could be forced to cooperate, share information, and contribute qualified personnel to a combined effort.”³ Unfortunately, cooperation could not be coerced, information sharing was inadequate, and those individuals assigned to the program by the military and Vietnamese police “were their least valued personnel.”⁴ These workers had other thoughts on their minds such as personal advancement since they were “in competition with rival services.”⁵ By combining effort in a location “where service identity was merged in a larger whole,” their ambitions were perceived to be stifled.⁶

A study mentioned previously conducted by John G. Lybrand and L. Craig Johnstone provides details on the effectiveness of Phoenix interrogation techniques and overall operations.

The two CORDS evaluators were assigned the task of analyzing the program's methods in attacking the VCI "infrastructure in II Corps."⁷ They noted the following problems. First, their assessment revealed "a critical lack of qualified interrogators," which promoted poor questioning methods.⁸ The researchers also discovered an "inadequacy of reaction forces at district level,...improper use of Field Police Forces; torture of prisoners; lack of a standardized filing system; poor source control mechanisms; lack of coordination between Phoenix and other free world forces; and Census Grievance participation."⁹ Lybrand and Johnstone also conclude that these debilitating issues inherent in II Corps "held true in the other three corps areas of Vietnam as well."¹⁰

Further information regarding the Census Grievance Program is relevant to a discussion of impacts. At the same time that CIA officers utilized this secret program to discover intelligence in villages controlled by the VC, "CIA police advisers were conducting a census program of their own."¹¹ This approach originated from British counterinsurgency specialist Robert Thompson who "the State Department hired in 1961 to advise the US on police operations in South Vietnam."¹² Thompson used this type of system in dealing with the Malayan Emergency. His idea incorporated "a three-pronged approach that coordinated military, civilian intelligence, and police agencies in a concerted attack on the Viet Cong Infrastructure."¹³

In 1962, the National Police took Thompson's proposal and created the Family Census program, which comprised a list of individuals "and a group photo taken of every family in South Vietnam."¹⁴ The photograph were placed in "a police dossier" accompanied by "each person's political affiliations, fingerprints, income, savings, and other relevant information, such as who owned property or had relatives outside the village, and thus had a legitimate reason to travel."¹⁵ The program was influential in the identification of people "who could be blackmailed

into working in their villages as informers.”¹⁶ By 1965, 7,453 families were registered.¹⁷

The Family Census program allowed the CIA to learn whom the “Communist cell members” were in the villages under government control.¹⁸ Once they learned the names, agents could then arrest minor suspects and ‘soften them up’ until they revealed their leaders.¹⁹ This tactic’s objective was to diminish the insurgency through the forceful migration of political cadres into “guerrilla units in the jungle,” which would deprive the VC infrastructure of its leadership in South Vietnamese villages and hamlets.²⁰ The practical application of this endeavor did produce results since “many VCI were not terrorists,” as David Galula observes, but “men whose motivations, even if the counterinsurgent disapproves of them, may be perfectly honorable. They do not participate directly, as a rule, in direct terrorism or guerrilla action and, technically, have no blood on their hands.”²¹

Nevertheless, problems with this aspect of the program did occur. Some innocent villagers, with no connection to the Viet Cong became victims of torture or faced extortion by crooked police.²² In some cases, VCI who were actually double agents convinced “CIA ‘contractors’ to arrest people hostile to the insurgency.”²³ With these problems in mind, Thompson urged the CIA to create “a police special branch of professional interrogators who would not be confused with mercenary contractors.”²⁴ So, in 1964, the Police Special Branch was organized and placed “in Province Intelligence Coordinating Committees (PICCs) in South Vietnam’s 44 provinces.”²⁵ These CIA run committees strived, “to coordinate paramilitary kidnapping and assassination operations with the intelligence operations of the Special Branch.”

Perspectives from other individuals concerning the implementation of Phoenix assist in answering questions about the efficacy of the operation. William Colby, Director of the Central Intelligence Agency (DCI) from September 1973 to January 1976, headed Phoenix from 1968-

1971. In 1972, Colby wrote a letter to Edward Shearer, editor of *Parade*, in response to an article published in the magazine's January 9, 1972, issue, which claimed that the CIA run Phoenix had "established a new high for U.S. political assassinations in Vietnam."²⁶ Colby responded by noting that the operation "was run not by the CIA but by the Government of Vietnam, with the support of the CORDS [Civil Operations and Rural Development Support] element of the U.S. Military Assistance Command in coordination with several U.S. agencies including CIA."²⁷ He also vehemently denied that Operation Phoenix was "a program of assassination," and those that were killed during the operation's efforts met their demise "in firefights during military operations or resisting capture."²⁸ His argument maintained, "there is a vast difference in kind, not merely in degree, between these combat casualties, (even including the few abuses which occurred) and the victims of the Viet Cong's systematic campaign of terrorism."²⁹ Previously, Mr. Colby testified before Congress in 1971, that deaths from Phoenix "included 'illegal killing.'"³⁰

Colby also provided additional information about Phoenix which acted to both confirm as well as deny reported allegations that had come out during the operation's first two years of existence. The MACV issued directive 525-36, drafted by Colby, and signed by Major General W.G. Dolvin, dated May 18, 1970, explains the program's activity.³¹ This document, entitled "Military Operations Phoenix—Phung Hoang---Operations," lays out "policies and responsibilities for all US personnel participating in, or supporting in any way, Phoenix (Phung Hoang) operations."³² The directive authorizes "as a final resort the use of military, or police force against" the VCI, and then makes clear that all "US personnel...are specifically unauthorized to engage in assassinations or the rules of land warfare, but they are entitled to use such reasonable military force as is necessary to obtain the goals of rallying, capturing, or

eliminating the VCI in the RVN.”³³ The MACV order also mentions that if US staff members notice Vietnamese not following “the rules of land warfare” they are “not to participate further in the activity” make objections known to “the Vietnamese conducting them” and “report the circumstances” to “higher US authority.”³⁴ Lastly, the document indicates that “if an individual finds the police type activities of the Phoenix program repugnant” he can “be reassigned from the program without prejudice.”³⁵

It should be noted that Colby’s directive implies that problems existed with the implementation of Phoenix. After all, why would an administrator issue a command that focuses on issues of abuse or tactics of terror unless these matters either existed, had been reported as occurrences, or were perceived as reality by certain members of the public. If things had been going smoothly with Phoenix, no torture, no murders, no violations of program responsibilities, there would have been no need to put out a directive. But, any operation that incorporates the concept of neutralization of the enemy as an objective, however narrowly defined, and chooses to integrate both coercive and non-coercive methods of interrogation as part of that process sets itself up for problems based on the strategy itself. This was especially true in Vietnam, with the plans “set up by Americans on American assumptions, in support of American policies,” not applicable to South Vietnamese culture.³⁶ When men are given power over other men and permitted to torture them, undesirable and unethical consequences can result. William Colby defended Phoenix until the day he died, but if his strategy had worked he never would have needed to.

Another Agency perspective regarding the quality of counteracted targets comes from a person directly involved with Phoenix, Ralph McGehee. He served as the CIA chief in the Gia Dinh province and almost committed suicide based on the guilt he experienced over his work

with the operation, expressing emphatically in his memoirs that “never in the history of our work in Vietnam did we get one clear-cut, high-ranking Vietcong agent.”³⁷ His claim finds support in both a 1971 Pentagon study, which disclosed, “that only 3 percent of the Vietcong killed, captured or rallied were full or probationary party members above the district level,” and provincial accounts, which maintained “that 1 percent or less of enemy neutralizations held key leadership posts in the VCI.”³⁸ McGehee contends that one of the primary reasons Phoenix failed “stemmed from the popular support enjoyed by the NLF leadership who had contacts in high places and infiltrated the government apparatus.”³⁹

Victor Marchetti, a former special assistant to the Deputy Director of the Central Intelligence Agency and John D. Marks, a former officer at the United States Department of State, provide material about Phoenix. The two men co-authored a book entitled *The CIA and the Cult of Intelligence*, published in 1974, which discusses how the CIA works along with its obsession with clandestine undertakings. The agency attempted to halt publication of the work, based on national security, but was unable to do so. However, 168 lines of the narrative were redacted prior to publication. There are references made in the book to Phoenix, including a quote by Wayne Cooper, mentioned later in this chapter, who states that “CIA representatives recruited, organized, supplied, and directly paid CT teams, whose function was to use Vietcong techniques of terror — assassination, abuses, kidnappings and intimidation — against the Vietcong leadership.”⁴⁰ The authors indicate that according to South Vietnamese estimates, the operation accounted for “40,994 VC kills,” compared to Colby’s figure of 20, 587 suspected Vietcong ...killed under Phoenix in its first two and a half years.”⁴¹ Marchetti also reflected on Phoenix in an interview published in 1974. When asked about the operation being a ‘murder program’ he responded by saying “Yes, that was part of it.”⁴² He also provides recollections of

torture he found out about after leaving the agency. He states, “I learned from guys coming back from Vietnam that we used to do things like put a dowel in a guy's ear and tap it until he talked, or we split his head apart. We'd put electrical wires on his genitals and we'd grind the crank until the guy went out of his mind or talked.”⁴³

Another individual who acquired information that sheds light on Phoenix is Anthony Russo. He worked for the RAND Corporation, a global policy think tank, which sent him to Vietnam to explore interrogation techniques in use on Vietnamese prisoners. While at RAND, he developed a friendship with Daniel Ellsberg and assisted him in the writing of the *Pentagon Papers*, published in 1971, that disclosed various activities that transpired during the Vietnam War. While Russo was in Vietnam, he prepared a torture report describing multiple atrocities “when the CIA’s use of torture expanded dramatically under the notorious Phoenix Program.”⁴⁴ At that time, the CIA supervised “three separate operations that employed torture: its own interrogation centers, 40 provincial interrogation centers run by Vietnamese with CIA training and supervision and a training program that schooled 85,000 Vietnamese police in torture techniques, part of a worldwide operation.”⁴⁵ Unfortunately, the RAND Corporation “either destroyed Russo’s report or has kept it in its classified archives for the past 50 years.”⁴⁶

Additional perspectives on the impact of Phoenix come from various Communist leaders. Justice Truong Nhu Tang, a VC Minister of Justice, reported in his memoirs that, “In some locations... Phoenix was dangerously effective.”⁴⁷ He also notes that in “the Hau Nghia Province,” the VCI “infrastructure was virtually eliminated.”⁴⁸ A colonel, Bui Tin, in an interview with journalist Stanley Karnow, maintained that the operation resulted in the deaths of “thousands of our cadres.”⁴⁹ General Tran Do, also interviewed by Karnow, described Phoenix as “extremely destructive.”⁵⁰ Even years later, in 1995, when Mark Moyar visited Hanoi, he

found “that most communist leaders had not changed their interpretation.”⁵¹

Further discussion on Phoenix efforts in the Hau Nghia province provides insight into the program’s effectiveness. Eric M. Bergerud, Professor of History and Humanities at Lincoln University in Oakland California, has done extensive research on the history of the war in Hau Nghia. In the introduction to his book *The Dynamics of Defeat: The Vietnam War in Hau Nghia Province*, he notes “that the problems facing the Americans in Vietnam were insurmountable once President Lyndon Johnson decided to intervene.”⁵² These problems can be demonstrated through a four-point analysis of Hau Nghia province. First, Bergerud points out that “the Government of Vietnam (GVN) lacked legitimacy with the rural peasantry, the largest segment of its population,” because they “perceived the GVN to be aloof, corrupt and inefficient.”⁵³ Second, the National Liberation Front backed by the Communists possessed tremendous power in the province, and even though it employed ruthless methods, it “enjoyed widespread support among the peasantry.”⁵⁴ Third, Americans attempted to change “the political allegiance of the rural population” but this failed “because of the structural weaknesses of the GVN and the grim tenacity of the Front.”⁵⁵ Fourth, use of “military force, much of it American, was the only method through which the allies could combat the Front,” however, “the long war of attrition required to weaken the NLF was simultaneously a crushing burden on the US Army and led inevitably to a steady decline in public support for the war effort.”⁵⁶

Bergerud devotes an entire chapter of his book to Phoenix. He mentions that in the early 1960s before the program was set up, the CIA, concerned about the Communist Party’s influence in Vietnam, started gathering intelligence on “the Front’s political apparatus and opened an interrogation center in Saigon.”⁵⁷ The PRUs (fig. 3.3) put in place in Hau Nghia were only “controlled by the [GVN] province chiefs in theory.”⁵⁸ In actual practice they were run by

Agency operatives “with only nominal direction or oversight from the GVN.”⁵⁹ And even though CORDS was placed in charge of integration at all levels, “CIA activities were largely exempt.”⁶⁰ In an analysis of the PRUs, Bergerud notes that there were conflicting reports on their success. However, he does note that they “were considered proportionately, the most effective organization in the fight against the Front’s apparatus.”⁶¹

The conclusion reached by Eric Bergerud after his intensive study of Phoenix in the Hau Nghia province was that the operation was merely “another paper exercise with little real value.”⁶² Bearing this out were estimates from CORDS that by early 1970, three years after Phoenix had risen, “980 Front cadres were still operating in Hau Nghia.”⁶³ The NLF’s political power continued to grow in strength as summarized by a provincial senior advisor who stated, “VC retain a viable political apparatus” and “local party infrastructure appear to be policing their ranks and learning how to survive in the pacification environment” with at least a skeleton infrastructure in every village.”⁶⁴ He also describes Phoenix as “one of the most important, if not most conspicuous, failures of the entire American war effort.”⁶⁵

John Jacob Nutter, an historical researcher and former assistant professor at Michigan State University contends that Phoenix was originally intended to assist in unravelling “the VC organization,” with an objective to gain the trust of members “and ‘turn’ them via the Chieu Hoi (“Open Arms”) program,” an initiative designed by the South Vietnamese to encourage defection.⁶⁶ However, Nutter argues that the operation metamorphosed and “took on a dirty life of its own,” producing “little intelligence of value.”⁶⁷ With strong ties prevalent in Vietnamese families, suspected VCIs faced betrayal in the “PRUs based more on family animosity than Vietcong intelligence value.”⁶⁸ He surmises that there is a great likelihood “many suspects didn’t talk because they were in fact innocent.”⁶⁹ While many CIA operatives and officers, and the

Agency itself still maintain that Phoenix was not an “assassination program,” Nutter contends there is absolutely no doubt that the covert operation “resulted in the outright killing of many suspects with no pretense made of attempting capture or interrogation.”⁷⁰ He also maintains that in some instances American Special Forces were provided with explicit commands “to shoot suspects.”⁷¹ These included “VC sympathizers or cadres, as well as South Vietnamese collaborators and double agents.”⁷² Information from two army officers involved with Phoenix, Army Lieutenants’ Francis T. Reitemeyer and Michael J Cohn, confirms this claim.⁷³ These men received honorable discharges from the military because they demonstrated to a federal court that they were required “to fulfill a ‘kill quota’” of fifty bodies a month.⁷⁴ Nutter also suggests that the reason so many suspected VCI did not talk was that they were simply not a part of the shadow government, and “in fact, innocent.”⁷⁵

Vincent Okamoto, a former Army 2nd Lieutenant and the most decorated Japanese American to serve in Vietnam provides additional insight into Phoenix operations related to finding blacklisted Viet Cong. In 1968, he served in the program as an intelligence liaison officer, and after the war went to law school and eventually became a judge. Okamoto observed that when going into villages to look for suspects, difficulties would arise. Out of fear, most villagers would not reveal any information as to where the individual resided. Once a frightened villager did reveal the suspect’s residence, that person was fair game for Phoenix operatives. Their reasoning was that when they returned later to neutralize the located suspect, it really was of no consequence who was killed, because “as far as they were concerned whoever answered the door was a Communist, including family members.”⁷⁶ Okamoto also notes that in some cases, Phoenix agents would return, “to camp with ears to prove that they killed people.”⁷⁷

Stuart Herrington, a district-level officer that oversaw Phoenix operations in the Hau

Nghia province from 1971 to 1972, “was responsible for advising the South Vietnamese military and its police counterparts” in neutralization efforts against the VC.⁷⁸ He provides a contrasting personal perspective on the effectiveness of the program in Duc Hue, “one of the most infiltrated districts in South Vietnam.”⁷⁹ When first assigned to Phoenix, he observed that South Vietnamese officials failed to “aggressively attack the Vietcong.”⁸⁰ Even though Herrington was not a trained interrogator, since his associates were not providing enough support, he started conducting “unilateral debriefings of Vietcong defectors.”⁸¹ Through these sessions Herrington learned about the “hidden realities of the insurgency in Vietnam,” and surmised that inabilities on the part of American advisers to understand these realities stymied “efforts to build effective collaboration with South Vietnamese allies.”⁸²

By using the South Vietnamese *Chieu Hoi* (Open Arms) initiative, aimed at encouraging Vietcong “to defect, or ‘rally’ to the government,” Herrington was able to secure the assistance of two ‘ralliers’ (*hoi chanh*), Nguyen Van Dung, a former Hiep Hoa village secretary, and Nguyen Van Phich, a native of the village of Tan My, and former “executive officer for the Vietcong local force company.”⁸³ Herrington treated Dung hospitably, and demonstrated that he was difficult to mislead. After gaining the defector’s respect Herrington was able to obtain information that promoted his understanding of the South Vietnamese. With Phich’s help, he was able “to create and manage a large network of informants in Tan My, the ‘model revolutionary village.’”⁸⁴ As a result of the intelligence gathered from Phich, “an aggressive province chief Colonel Thanh launched military operations against the Vietcong” and successfully broke “their hold on Tan My.”⁸⁵

Herrington claims that Phoenix procedures worked in “varying degrees in many districts.”⁸⁶ He notes that wanted posters with photos of Communist leaders were disseminated in

certain districts. Rewards were offered to anyone who would provide information about Vietcong operatives. The program ended up being “a major thorn in the side of” VCI, who saw “it as a threat to their organizational and operational security.”⁸⁷ Herrington argues that Phoenix was a major reason “why the Vietcong’s Provincial Revolutionary Government,” failed “to take control of South Vietnam in the wake of the collapse in 1975.”⁸⁸ As a result, many thousands of Communist leaders required “to run the new government” had either been killed or placed in prison, “thanks to Phoenix.”⁸⁹

Wayne L. Cooper, a onetime Foreign Service officer, who served for almost 18 months as a Phoenix advisor in Can Tho, a city located in the southern part of the Mekong Delta region, reflects on the operation in an article published in the *Washington Post* June 8, 1972. Phoenix is described as a “disreputable, CIA-inspired effort,” and “a bloody, handed assassination program” which was a fiasco and “a failure.”⁹⁰ Cooper notes that the operation failed for several reasons, many of which stemmed from Vietnamese deficiencies. Any successes of the program were manifested in such a way that “none of us intended or would have wanted.”⁹¹

After providing a history of Phoenix, Cooper notes that by mid-1968, the operation had violated “the cardinal rule of intelligence” since it had become too large and encompassing.⁹² The idea of ‘neutralization’ of the VC infrastructure became the number one priority, endorsed by founder “Robert Komer, Gen. William C. Westmoreland, prominent journalists, political scientists,” and “even Sir Robert Thompson, President Nixon's personal counterinsurgency expert,” who stated, “if the VCI could be eliminated, one could confidently buy stock in South Vietnam.”⁹³ With this objective placed at paramount importance, by mid-1969 CORDS had begun utilizing “Army advisers and a few civilians,” of which Cooper was one.⁹⁴ With increased organization of Phoenix, “a theoretical division of labor was formed,” which involved funding

from the US, construction of interrogation centers, gathering and dissemination of information on VC infiltrators, capture, examination, and prosecution.⁹⁵ At least, that was the idea of how the operation should unfold.

Unfortunately, during his time as an advisor Wayne Cooper discovered that implementation of the program suffered from many weaknesses. First, emphasis generated by commanders was lacking “from Saigon all the way down to the districts.”⁹⁶ Even though everyone believed in the prime directive, since the budget was small, interrogators utilized at the centers by “the various police-type agencies were often the least talented or experienced individuals available.”⁹⁷ Second, the South Vietnamese were not provided with information about Phoenix and therefore it’s practice could not gain their trust. When asked about the program, one villager’s perception was, “it’s a government program to catch young men for the army.”⁹⁸ Also, the operation alienated “rural folk by causing inconvenience and harassment” like making them “sit in the sun for hours while ID cards” were examined.⁹⁹ Third, directional impact in the PICs was deficient “at all levels” with no centralized guidance in intelligence gathering or collating of that data.¹⁰⁰ Fourth, targeting of suspected individuals lacked specificity. Cooper contends that as little as “5 per cent of the hundreds of daily required” Phoenix excursions “went to a specific location to capture a specific individual” while the other 95 per cent “were massive group exercises” with soldiers sweeping through an area and detaining “every adult they came across.”¹⁰¹ ID cards would then be inspected against a blacklist that “was never up to date” with the occasional capture of a “VC or North Vietnamese soldier” while VCI were rarely apprehended, “if at all, and usually released for lack of evidence.”¹⁰² Finally, the “judicial aspect” of the operation is described by Cooper as a “sieve” because according to estimates from Lieutenant Colonel John Paul Vann, CORDS deputy and commander of all civilian and military

advisers in the Third Corps Tactical Zone, “90 per cent of genuine VCI suspects were freed within 90 days of capture.”¹⁰³

At the conclusion of his article, Wayne Cooper makes several telling conclusions about Phoenix. First, the amount of money invested in the program is impossible to ascertain. According to a classified GAO report, the dollars spent totaled “\$80 million.” However, Cooper figures that the cost was undoubtedly in excess of \$100 Million because of factors not figured into the GAO amount such as “the costs of the advisory effort alone (training, salaries, vehicles and servicing, housing, travel, family allowances).”¹⁰⁴ Second, the return on investment is also difficult to determine because “the bureaucratic body count-of a US-imposed quota system” does not provide a measurable method of cost benefit analysis, and only allows for Saigon and Washington officials to “quote statistics on fulfilled quotas; sentencings, and overall ‘neutralizations’.”¹⁰⁵ Lastly, the only real conclusion that can be made about Phoenix was that it slowed down “VC political activity.”¹⁰⁶ Any other attempts at specific suppositions “would be almost impossible to verify.”¹⁰⁷

Another Phoenix operative, Lt. Commander Michael J. Walsh, provides detailed information about the program including some issues discussed by Wayne Cooper. Walsh served for twenty-six years in the Navy’s Special Forces, as a member of the United States Navy Sea, Air, and Land Teams (SEALs). To begin his service in Phoenix, at 22 years of age, he went through training “at Camp Machen in the Cuymaca Mountains east of San Diego,” California.¹⁰⁸ During this six-week course, Walsh was informed that all the senior Vietnamese officers who ran the PRUs “were corrupt.”¹⁰⁹ His instructor told the trainees that if an order needed approval, providing the province chief with something like a “new air conditioner” would be an effective method to attain their signature.¹¹⁰

Walsh provides valuable insight related to intelligence data assimilated by Phoenix statisticians. He mentions that US Army Captain Geoff Barker, once a PRU adviser, “developed a source control chart to help him keep track of the information routinely provided by intelligence agencies.”¹¹¹ This chart permitted any Phoenix adviser “to levy the necessary requirements in terms of material support and manpower to either confirm or deny the new information coming in from assorted collection methods.”¹¹² This granted “Phoenix advisers” the capability, “to plant bad information in the system without tipping our hand to other Vietnamese intelligence agencies we were unfriendly with, or suspect of.”¹¹³ This practice aided in the discovery of agents who worked on other ventures and soon faced dismissal from Phoenix.¹¹⁴

Another important revelation disclosed by Lt. Walsh regarding Phoenix concerns funding available to advisers utilized to conduct operations. He points out that the program had a large ‘war chest’ at its disposal to use for counterintelligence purposes. He states that as an adviser “I could draw up to \$10, 000 from the program without having to answer serious questions about its use.”¹¹⁵ This figure translates into \$77, 000 today. After signing for and receiving the disbursement, Walsh and his team could proceed into the jungle with their objective to find the ‘bad guys’ and gather intelligence from those “who could be bought, bribed, controlled, intimidated, or all of the above.”¹¹⁶ With 704 Phoenix advisers in place by 1970, and potential monetary allocations over \$11,000,000 in 2018 dollars it is no wonder that Phoenix was able to neutralize thousands of suspects.¹¹⁷ According to estimates, by the middle of 1971, the operation to neutralize the VCI was being conducted “at a reported cost of over \$1 billion to the US and an undisclosed amount to the Saigon government.”¹¹⁸ This brings up several questions that remain unanswered: Was the program cost beneficial? Did Phoenix end up costing the lives of more innocent suspects than those who were VCI? Was the disclosed information accurate or simply

provided by those who named names to avoid torture or death or to simply fatten their wallets?
These issues deserve further study!

A report by Colonel William L. Knapp, entitled Phoenix/Phung Hoang and the Future: A Critical Analysis of the US/GVN Program to Neutralize the Viet Cong Infrastructure, published by the Army War College in 1971, provides further information related to the inner workings of Phoenix. Knapp's then confidential account examined the operation and evaluated its capabilities in the performance of the objective to neutralize the VCI and the propensity for future program accomplishments. The report's assessment considered efforts utilized to bring the Malayan Emergency, events occurring from 1948-1960 in Malaya, now known as Malaysia, following the Federation of Malaya's creation in 1948, to a conclusion. Engagement in guerrilla warfare was undertaken by the Malayan National Liberation Army, a military component of the Malayan Communist Party in opposition to the Commonwealth armed forces, backed by Britain. Knapp compares the methods used to end the Malayan Emergency, and the tools used by Phoenix to undermine the VCI infrastructure.

To begin his study, Knapp presents historical background on the Malayan Emergency and then focuses on the methods "used to defeat or neutralize the Communist guerrilla infrastructure."¹¹⁹ Prior to the 'emergency' Britain acquired an interest in Malaya beginning in 1786, "and by 1895 had succeeded in establishing on the peninsula an "organized confederacy" under the British Residency System."¹²⁰ While the British endeavored to solidify their rule, the Malayan Communist Party (MCP) formed in 1930, and "by 1939 an extremely capable young Vietnamese named Lai Tek had succeeded in organizing a Communist cell system that covered Malaya."¹²¹ At the outset of World War II and the Japanese attack on Pearl Harbor during the early hours of December 7, 1941, Japan proceeded to overrun Malaya and within several weeks

in February 1942, captured Singapore. After Britain and Russia formed an alliance to battle Japan, the Malayan Communist Party reversed its opposition against England and rallied against the Japanese imperialists. Before exiting Singapore, “the British were able to train 200 of their men to stay behind and train the Communist guerrillas.”¹²² Thus, the Malayan Peoples' Anti-Japanese Army (MPAJA) originated. It was primarily a rebel force composed of Chinese squatters, “refugees of sorts, who had come to the edge of the jungle, scratched out a piece of land and subsisted on it.”¹²³ These ‘squatters’ played an essential role in the ‘emergency’ that began in 1948.

After Japan surrendered in 1945, the Chinese guerrillas faced a quandary. First, their previous involvement with Britain against the Japanese involved a commitment to disband their army at the end of the war. However, the guerillas had accumulated many British weapons during the war from “depots and armories,” when the Japanese first overran the peninsula.¹²⁴ After ceremonially turning in weapons as part of the disbandment procedures advocated by Britain, they still possessed “large concealed caches of arms and ammunition.”¹²⁵ Second, the MPAJA had formed an ‘Old Comrades Association’ with “branches in every town and a parallel peoples' organization among the "squatters" and villagers.”¹²⁶ This association did function to unite the people socially, but it also operated covertly “to keep the MPAJA intact.”¹²⁷ This dilemma led to the Malayan Emergency when it became obvious by early June 1948, “that a Chinese Communist campaign of terror had begun.”¹²⁸

In an effort to deal with this problem, the Federal Legislature passed The Emergency Regulations Ordinance in June 1948, which provided “extreme powers to police and other government forces and were used throughout the Emergency as required.”¹²⁹ First, the act required anyone over the age of 12 to register and carry an identification card.¹³⁰ Unlike

Vietnam, the process worked in Malaya since “one could not exist within the law and villages without a card.”¹³¹ Individuals utilized the card to obtain food and other necessities. Second, the law allowed police agencies to “arrest and detain without trial,” which was a similar tactic used by Phoenix operatives in Vietnam.¹³² It should also be noted that the MCP and “its front organizations were not declared illegal until 23 July 1948.”¹³³ This allowed the “police to keep a close watch on the party members and the people with whom the party members came in contact,” and immediately led to the arrest of “600 known party members.”¹³⁴

Following this brief historical overview, Knapp proceeds to explain the mechanics undertaken by Malayan police forces to deal with the communist insurgency. He points out that the “early buildup of a qualified police force under British command, and its retention at village level throughout the 'emergency'” accompanied by leadership changes facilitated effectiveness and “insured an early and continuous attack on the Malayan infrastructure.”¹³⁵ Knapp also notes that the utilization of Special Branch detectives (supported by military intelligence) at village level, provided the essential intelligence to destroy the support organization.”¹³⁶

After comparing the differences and similarities of Phoenix with those of the tactics used to end the Malayan emergency, Knapp makes conclusions and recommendations. First, he notes that the “Phung Hoang Program has served a useful purpose, is on the right track, but is in need of modification.”¹³⁷ He argues that Phoenix should become ‘absorbed’ by the Vietnamese National Police Force.¹³⁸ According to Knapp, this had been accomplished at the national level, but needed undertakings directed at “province and district levels.”¹³⁹ This absorption entailed “control, physical plant, and principle operatives under the National Police.”¹⁴⁰ Knapp also surmises that by having several contributing agencies involved in the operation the chances of security leaks increased and inefficiency became more likely.¹⁴¹ He also points out that the only

way Phung Hoang could be significantly effective would be “if pacification, in its broadest sense, succeeds.”¹⁴² He concludes that the operation would not be ultimately successful “ unless the. GVN can lift the yoke of terror from the villagers and, at the same time, show the villagers that it is a government capable of not only protecting them but serving their interests as well.”¹⁴³

It must also be mentioned that the Phoenix Program was connected to a harrowing event that occurred in South Vietnam on March 16, 1968. On that day, two squadrons of American soldiers, with one under the command of Lieutenant William Calley, “accompanied by US Army Intelligence officers,” moved into the small village of My Lai, located in Quang Nai province and over an eight hour period proceeded to murder “504 men, women and children.”¹⁴⁴ This incredible act of terror was not reported in the press until over a year later, when New York Times correspondent Seymour Hersh broke the story in November 1969. After the narrative was reported, Army Chief of Staff William Westmoreland assigned General William Peers, a former CIA chief of training in Taiwan, onetime supervisor for the OSS during World War II, and special assistant over counterinsurgency and special activities for the Joint Chiefs of Staff, to investigate. Peers submitted his report in March 1970, “which was not made available to the public until 1974 and which carefully avoided implicating the CIA.”¹⁴⁵

The Peers report failed to point a finger at the Agency’s participation at My Lai for the following reasons. First, the obvious connection that Peers had with CIA and its forerunner demonstrates a conflict of interest and bias in favor of his previous employer. This is reminiscent of the appointment of former CIA director Allen Dulles to the Warren Commission, investigating President John F. Kennedy’s assassination. Dulles was fired by Kennedy over the Bay of Pigs, and then asked by new President Lyndon Johnson to investigate his former Agency’s possible ties to JFKs murder. Of course, none were found.¹⁴⁶ Second, as one of the designers of plans for

pacification in South Vietnam, he was a confidant of Evan Parker, “the CIA officer who headed ICEX,” which “oversaw Phoenix.”¹⁴⁷ Thus, it comes as no surprise that the Peers inquiry found no evidence of CIA involvement at My Lai and blamed it on the American forces and their officers.

Not only did it take some time for information to be publicized about the massacre at My Lai, but a cover-up of the tragedy began almost immediately after the slaughter took place. A Time magazine poll of 1,608 Americans taken in early 1970, indicated that 65 percent of those surveyed merely shrugged the carnage off, concluding that “incidents such as this are bound to happen in a war.”¹⁴⁸ The cover-up was essentially intended “to disguise the fact that My Lai was a part of the CIA killing program called Operation Phoenix.”¹⁴⁹ Douglas Valentine notes that the killings at My Lai were “a result of Phoenix,” because the operation “provided an outlet for the repressed fears and anger of the psyched up men of Task Force Barker.”¹⁵⁰ Based on the objective to neutralize the VCI, targets became young children, the elderly, men and women. Anyone could possess a gun, a knife or a grenade. The Phoenix directive and the emphasis placed on soldiers to follow orders, engrained in the minds of American soldiers, “made it as easy to shoot a Vietnamese child as it was to shoot a sparrow in a tree.”¹⁵¹

The My Lai massacre was formulated by two principals, Paul Ramsdell, the CIA head over Phoenix in the Quang Ngai Province, and Colonel Ton That Khien, the province chief.¹⁵² At the time of the massacre, the CIA had one of its largest contingents in this area.¹⁵³ As province director Ramsdell was in charge of putting together the ‘blacklists’ of NLF suspects. This information was then provided to the US Army squadrons who killed the villagers. Ramsdell expressed his sentiments regarding the inhabitants of the Vietnamese hamlet to Task Force Barker’s Captain Koutac, “anyone in that area was considered a VC sympathizer because they

couldn't survive in that area unless they were sympathizers."¹⁵⁴ Ta Linh Vien, a member of the covertly CIA funded Census Grievance Committee, after viewing intelligence estimates concluded that My Lai "was under VC control."¹⁵⁵ He also contended that all of the hamlet's residents including women, the elderly, and even children "have some weapon at home."¹⁵⁶

Colonel Khien, the other My Lai collaborator, provided input to Ramsdell about the Viet Cong. He hated the NLF for inflicting damage on his family during the Tet offensive which began in January 1968. Khien also detested the group because it "had seriously disrupted his business enterprises."¹⁵⁷ He was regarded as "being one of South Vietnam's most corrupt chieftains," making money in ventures "from payroll fraud to prostitution."¹⁵⁸ He also derived a substantial amount of revenue "from heroin sales to US soldiers."¹⁵⁹ In response to the attack at My Lai, he stated "that he had been notified of the killings within a week but at first had assumed that they had been the result of an artillery barrage and therefore a sad but unavoidable act of war."¹⁶⁰

Further implications linking Phoenix and the massacre comes from Sergeant David Mitchell, a Task Force Barker soldier, who was tried for the murder of "dozens of civilians at My Lai."¹⁶¹ At his trial, Mitchell's attorney's cited "Phoenix as the CIA's 'systematic program of assassination,'" and identified CIA officer Evan Parker as the one "who 'signed certain documents, certain blacklists,' of Vietnamese to be assassinated in My Lai."¹⁶² Of course, Parker denied that in an interview with Douglas Valentine, and he was never subpoenaed by the court.¹⁶³ The blacklist was also never obtained, and the CIA's lawyer, John Greaney also denied agency involvement. When he was questioned about any CIA operations ever being conducting at My Lai, he merely stated, "I don't know."¹⁶⁴ Denials like these have been commonplace since the agency adopted plausible deniability, a term first coined by Allen Dulles, the longest-serving

director of the CIA from 1952 to 1964. Sergeant Mitchell, by the way, was cleared of any wrong doing at My Lai.

Eventually, more information was disclosed about the massacre. Evidence revealed that as many as fifty US officers including generals were aware of the slaughter, “either through firsthand observation or eyewitness reports.”¹⁶⁵ Also, the massive cover-up included all of these military officials, either through suppression of the truth or refusal “to act upon the information they received.”¹⁶⁶ Eighteen officers were finally indicted on criminal charges but none of them were found guilty except Lieutenant Calley who was convicted of murdering “twenty-two civilians” out of the 504 slayed villagers who called My Lai their home.¹⁶⁷ During the trial, testifying in his own defense, he claimed that his superior, Captain Ernest Medina who gave the orders to kill the Vietnamese, assured him that “all civilians would be away” and that “anyone left would be considered enemies.”¹⁶⁸ He also stated that Medina used the word “‘neutralize’ at least four times in describing his understanding of the March 16 operation.”¹⁶⁹ Calley was given a life term, but President Richard Nixon commuted his sentence so he only served three and a half years under house arrest.¹⁷⁰

Even though the senseless killings committed by the troops of Task Force Barker at My Lai stands out as one of the most notorious and tragic war crimes in US history, following the incident “accounts of smaller-scale acts of mutilation, torture, rape and murder increasingly began to surface.”¹⁷¹ After finding out about these occurrences, many people drew a conclusion “that My Lai was not an isolated event, but an extreme yet logical outgrowth of a military strategy that sent young men on ‘search and destroy’ missions into rural villages under extreme pressure to locate” enemies that were difficult to differentiate “from civilians, and measured the success by the number of dead bodies produced.”¹⁷² With Phoenix, these perceptions and

realities rang true. Operatives went into the villages, seeking the suspected Vietcong, brought them back to the PIC, interrogated and tortured them. and then if they would not turn, eradicated them. The scorecard, a feature broadcast on the nightly evening news that all Americans could watch showed how well the game of war was being played in Vietnam by the US military and the CIA who utilized various offensive strategies with an ultimate goal to increase the body count.

Analysis of *an tri* law proceedings, referenced in chapter three, also reflects on the efficacy of Phoenix operations. Guenter Lewy, Professor Emeritus of Political Science at the University of Massachusetts Amherst conducted an extensive review of these reports published his 1978 book *America in Vietnam*. One problem with *an tri* procedures “was the backlog in processing VCI suspects” which became “so heavy that suspects in most cases had to wait six months or more before being released.”¹⁷³ Even though after several months attempts were made to control the backlog by transferring suspects to other jurisdictions “difficulties of coping with the constant influx of VCI suspects continued.”¹⁷⁴ As a result, “innocent persons were often held for an extended time without a hearing,” due to “faulty intelligence, gathered by unqualified personnel,” and “officials” who used the program against personal enemies of to extort bribes.”¹⁷⁵ Evidence to support this claim comes from an Office of the Assistant Secretary of Defense (OASD) report dated September/October 1970 which states that “4,181 persons of the 6,111 captured during the preceding seven months [68 percent] were still awaiting disposition of their cases.”¹⁷⁶ Even though rules were put in place in June 1971, mandating the maximum processing time for *an tri* cases at 46 months, “implementation of this provision proved difficult.”¹⁷⁷

Lewy also provides information that demonstrates other problems connected to *an tri* and

Phoenix. He notes that not only were innocent civilians with no connection to subversive activities being detained, but also that “dangerous members of the VCI often were quickly set free.”¹⁷⁸ To substantiate this claim he provides a September 1969 report from Quang Ngai province which indicates “that only about one-third of VCI apprehended are actually convicted and sentenced,” with “reason to believe that some VCI escape conviction by paying off some official.”¹⁷⁹ Additional documentation demonstrates “that until mid-1969 75-90 percent of all captured VCI reported neutralized were released within six months.”¹⁸⁰ This led to a change in the definition of the term which from January 1970 on counted “as neutralized only those sentenced to a meaningful term of detention.”¹⁸¹ Of course then the question arises as to what is meaningful. And regarding the time spent in confinement, Lewy also notes that “efforts at rehabilitation were poor and many of those freed presumably rejoined the VCI.”¹⁸²

Jeff Stein, a Phoenix advisor who helped direct intelligence operations from the coastal city of Da Nang, and supervised agents in the “Quang Nam and southern Thua Thien provinces” for one year, “from November 1968 to November 1969” provides perspective on Phoenix.¹⁸³ On one occasion in 1969, he received evidence that indicated one of his subordinates was a counter spy. In response to these allegations, Stein gave his operative a polygraph examination, which revealed “attempts at deception--lying.”¹⁸⁴ Stein pondered what to do in this situation since “it was nearly impossible to establish the truth of these matters in Viet Nam, where a kind of frontier justice prevailed.”¹⁸⁵ Should he trust the polygraph results and neutralize the agent, or give him up to South Vietnamese authorities who would probably do the same thing? While in Vietnam, Stein had become familiar with Vietnamese history and culture and “learned that the political loyalties of most Viets were splintered along family, clan, religious, and multiple ideological faults.”¹⁸⁶ He realized from his experiences with Phoenix that “It was impossible to define any

Viet, with certainty, as ‘procommunist,’ pro-Saigon,’ or ‘pro-US,’” even with the aid of a lie detector.¹⁸⁷ However, this inability to separate the communists from the non-communists did not deter the “odious methods” used by Phoenix.¹⁸⁸ Fortunately, in this case Stein did not end up eliminating his aide because additional questioning “revealed that...[his] agent had not "bounced" the polygraph because he was a communist, but because he was a member of a right-wing political movement [Vietnam Quoc Dan Dang (VNQDD)] conspiring against the Saigon government!”¹⁸⁹

In reflecting on this experience with Phoenix, and the information he had at his disposal, Stein began to have a greater understanding of what was really going on in Vietnam. He directly refutes those who argued that America could win the war through a combination of military might and counter insurgency tactics. After reading countless numbers of pages of intelligence reports on suspected agents who were members of VNQDD, along with information from the CIA, Navy, Air Force [and] Vietnamese newspapers, Stein concluded that he and his operatives were “being used by this political party to wipe out *their* opponents on the left.”¹⁹⁰ Those individuals who were listed as “Communists were left wing Buddhists and that information was going to the Phoenix program. We were being used to assassinate their political rivals.”

Stein also disclosed other pertinent information related to Phoenix operations. Regarding the PRUs, he indicates that the CIA would order the reconnaissance “teams to go out and take care of a particular target...either capture or assassination, or kidnapping.”¹⁹¹ According to Stein, Phoenix agents enjoyed the thrill of going into a South Vietnamese village under cover of darkness and grabbing a VC suspect, and then putting him into a “garbage collection type” bin which a helicopter would then pick up and take to a PIC.¹⁹² This procedure meant that the individual’s life was “about at an end because the Americans most likely felt that, if they were to

turn someone like that back into the countryside it would just be multiplying NLF followers.”¹⁹³

Stein also points out that even though “some Phoenix directors carefully built solid bases of intelligence” by skillfully using “defector interrogations and double agents, others dispatched their hunter-killer PRU teams as soon as the suspects were fingered and assassinated them on the spot.”¹⁹⁴ He describes the operation as a “logical compromise between the counterinsurgency emphasis” transpiring during JFKs administration “and Lyndon Johnson’s massive escalation, between the CIA and the Pentagon, between ‘hearts and minds’ and ‘search and destroy.’”¹⁹⁵ He argues that the Phoenix was a closely “held secret inside the CIA, except to Green Berets who were borrowed for the program.”¹⁹⁶ Efforts undertaken in the PICS as well as in the jungles, villages and hamlets of Vietnam were considered by many as “all part of the war.”¹⁹⁷ In his role as an advisor, traveling throughout the provinces Stein observed a particular “sign in the offices of many Phoenix operatives” which read, “When you got ’em by the balls their hearts and minds will follow.”¹⁹⁸

In 1992, Jeff Stein published a book entitled *A Murder in Vietnam*, which focuses on the case of eight Green Beret officers brought to trial for conspiring to kill a suspected Vietnamese double agent Chuyen Thai Khac. One of the accused Green Berets, Capt. Leland Brumley, became especially vehement towards the CIA during the trial because their witnesses attempted to portray him and his fellow officers “as barroom thugs” while as part of Phoenix, Agency operatives “were the very people who were engaging in an indiscriminate, murderous campaign against mostly civilian targets.”¹⁹⁹ Brumley and the other accused conspirators accumulated several classified documents sent to them by acquaintances. Based on their own knowledge as well as the documentation from friends they noted several important issues about the Agency and Phoenix. First, they found that during the years 1965 to 1968, “US and Saigon intelligence

services had created and maintained an active list of Viet Cong cadre marked for assassination.”²⁰⁰ Second, evidence was discovered which indicated Phoenix was given a target number of neutralizations in 1969 of “eighteen hundred civilian Viet Cong cadre a month.”²⁰¹ Third, contrary to “US claims that Phoenix was nothing more than an aggressive police program,” roughly “one-third of the Viet Cong targeted for arrest had been summarily killed.”²⁰² Fourth, the ‘security committees’ in the PICs set up to judge the Viet Cong detainees were outside the judicial controls ballyhooed by US officials.”²⁰³ Fifth, the accused officers found that “the most common recruits for the Phoenix program” were Navy SEALs and members of their own ranks, the US Army Special Forces, “under direct CIA supervision.”²⁰⁴

Robert Komer one of the founders of Phoenix and CORDS, provides further insight into Phoenix in a paper entitled *Organization and Management of the New Model Pacification Program 1966-1969*, which evolved from a seminar held by the RAND Corporation in November 1969. The publication includes a question and answer session with Komer, his executive officer at CORDS, Robert M. Montague, and Charles H. McDonald, Chief of the Current History Branch, Office of the Chief of Military History (OCMH). An entire chapter of the publication is devoted to a discussion of Phoenix and mentions at the outset that it was “a sad commentary” that efforts on the part of the US and the GVN to organize an effective counter insurgency attack on the VCI did not take place until “mid 1967” and that “failure was not because we didn’t recognize the problem” since studies had been undertaken a decade before “that correctly identified the key VCI role.”²⁰⁵ The underlying issue was that according to Komer, it wasn’t dealt with “as an operational and management problem—it was everybody’s business and nobody’s.”²⁰⁶ Focusing on this concept in the middle of 1966, consisted of “winning over the farmers” and not only providing “territorial security against the enemy main

and local forces but also rooting out the clandestine political and terror apparatus.”²⁰⁷

Komer goes on to make observations about Phoenix, its tactics and inefficacies. He blames the GVN for being not only too slow to get the operation running but also for having ineffective institutions including the police, the courts, and prisons which “had largely to be rebuilt from scratch.”²⁰⁸ Komer also contends that Phoenix was not a counter terror program, as its critics claimed. He also expresses doubt that the program was being “used for other political purposes than rooting out the VCI,” and blames the GVN for Phoenix’s “sloppy and feeble” implementation, “despite US advisory help.”²⁰⁹ He questions the efficiency of the GVN based on the thousands of VCI that were arrested and then let go, wondering whether those released might have “bribed their way out.”²¹⁰ Komer then concludes that even if the numbers showing “12,000 VCI neutralized in 1968 and 19,500 in 1969” are incorrect “and included mostly low level VCI” Phoenix “was still putting a serious dent in the VCI cadre structure” and just the idea that they know the GVN is after them “in a big way probably has a destabilizing and deterrent impact on” their “ability to do their job.”²¹¹

In 2009, the RAND Corporation published another report on Phoenix, which took a middle ground position on the operation. The study, sponsored by the Office of the Secretary of Defense, and conducted by William Rosenau, former counterterrorism adviser at the State Department, and Austin Long, former assistant professor at Columbia University’s School of International and Public Affairs, concluded that “the historical record shows that Phoenix was neither wildly successful nor a massive assassination program.”²¹² It did make “a contribution to the broader U.S. pacification campaign waged in the Vietnamese countryside, but its success came at a political cost to the United States.”²¹³ This cost reflected in media reports described the operation as an assassination effort, which “contributed to a lasting legacy of suspicion about

U.S. power and global ambitions.”²¹⁴ Unanswered questions that arise from the RAND study are: How did Rosenau and Long define success, and what body count numbers did they consider as a threshold for ‘massive’?

Another criticism that can be leveled against the RAND study concerns cost estimates of Phoenix. The report refers to the program as ‘low cost’ or ‘minimal’ on several pages.²¹⁵ However, the authors only present this conclusion based on cost estimates of the program between 1968 and 1972 at \$4 million. However, this figure, as the study indicates does not consider monetary “support to operational units, such as the PRUs.”²¹⁶ These units numbered as many as 5000 and operated in all South Vietnamese provinces.”²¹⁷ Douglas Valentine provides the cost of these units from the 1970 Senate Foreign Relations Committee Hearings as \$5,000,000 in 1969, and “an increased cost of more than six million dollars” by 1970.²¹⁸ Thus, RAND presents a low cost perspective on Phoenix that does not hold up when PRU costs are considered. Ironically, RAND mentions that Phoenix generated a political cost levied against the United States, since many media sources portrayed it as an assassination program.

John Ranelagh, a British historian, studied the Central Intelligence Agency and reported his findings in *The Agency: The Rise and Decline of the CIA*. He carefully examined the Church Committee report, interviewed several Agency officials, and utilized the Freedom of Information Act to obtain many relevant documents. After researching Phoenix, Ranelagh describes the operation as “a well-conceived program badly executed.”²¹⁹ He mentions that of the many organizations comprising the Vietcong infrastructure one of the most formidable was the Ban-an-ninh, who “engaged in assassinations, terror, and kidnappings as well as running a massive espionage operation against the South Vietnamese armed forces and government.”²²⁰ This group consisted of “one of the largest espionage operations—perhaps thirty thousand agents—in the

history of warfare.”²²¹ Under directions from Hanoi, the Ban-an-ninh successfully penetrated “the heart of the military and political establishment in Saigon and remains arguably the most effective intelligence apparatus of all time.”²²² Some members of this terrorist infrastructure defected and received amnesty to participate in Phoenix.²²³ However, even though Phoenix obtained intelligence from several of these defectors, the operation in turn had many of its own team members and families “abducted, tortured, and murdered by the equally ruthless Ban-an-ninh” who chose to stay in the VC ranks.²²⁴

Ranelagh also discovered that other subgroups besides the Ban-an-ninh were crucial to the effectiveness of the PRUs, a mainstay of Phoenix operations. Groups including the Secret Police, the Medical Service, and the Military Proselytizing Unit, all assisted in strengthening the power of the Vietcong infrastructure. While the MACV focused on the PRUs, its officers and Phoenix advisers realized that fighting against these organizations was also vitally important to counterinsurgency efforts.²²⁵ A central problem that developed, however, was that because there was such a demand for quantification and quotas, “soon the Phoenix groups were infiltrated by the very people they were trying to defeat and were turned by them against the South Vietnamese government.”²²⁶ As one MACV intelligence officer and overseer put it “Quite often I found the reports I was submitting being used for one person located in one spot at one time being either assassinated on the spot or brought in for interrogation and tortured to death without any second opinion whatsoever.”²²⁷ Additionally, compounding factors involving interrogation procedures undertaken at the overcrowded PICs along with “the process of even considering legal recourse, was just too overpowering, considering the mania of the body count and the quotas assigned for VCI and neutralization.”²²⁸ Thus, it became “a matter of expediency just to eliminate a person in the field rather than deal with the paperwork.”²²⁹ And as another Agency analyst, Samuel A.

Adams, who had reported in a 1975 *Harper's Magazine* article that US military intelligence underestimated the numbers of VC and PAVN soldiers, phrased it Phoenix "assassinated a lot of the wrong damn people."²³⁰

Even though, Ranelagh stresses that CIA officers were an integral part of Phoenix operations, he notes they were primarily involved with planning and analyzing data reported by teams in the field.²³¹ He notes that the CIA financed the PICs, regional and provincial officers supervised what went on there, "and every person who ran Phoenix from Saigon was assigned to the program from the Agency."²³² He places the blame for the atrocities committed by Phoenix on the "South Vietnamese government and armed forces" who were willing to participate in "all the dirty work themselves."²³³ But Ranelagh does emphasize that the CIA "clearly condoned what was happening" describing Agency agents and officers as "investment bankers physically removed from the operations they have funded—making things possible but not dirtying their hands."²³⁴

Primary documents provide information on the efficacy of Phoenix and demonstrate concern on the part of the executive branch regarding results and future expectations of the operation. National Security Study Memorandum 1, distributed on January 21, 1969 to the Secretary of State, the Secretary of Defense, and the Director of Central Intelligence and signed by National Security Advisor Henry A. Kissinger on behalf of President Richard M. Nixon, asks a series of questions about efforts being undertaken in Vietnam. Although not mentioning Phoenix by name, several questions clearly indicate that the program was being referenced. For example, one question asks, "What number or verified numbers of the Communist political apparatus (i.e., People's Revolutionary Party members, the hard-core "infrastructure") have been arrested or killed in the past year?"²³⁵ Another enquires "How many of these were cadre of

higher than village level?”²³⁶ While a third query considers “What proportion do these represent of total PRP membership, and how much—and how long—had the apparatus been disrupted?”²³⁷ A two-part interrogatory is listed, wondering “What are the reasons for believing that current and future efforts at “rooting out” hard-core infrastructure will be—or will not be—more successful than past efforts? For example, for believing that collaboration among the numerous Vietnamese intelligence agencies will be markedly more thorough than in the past?”²³⁸ Finally, Kissinger asks “What are the side-effects, e.g., on Vietnamese opinion, of anti-infrastructure campaigns such as the current “accelerated effort,” along with their lasting effect on hardcore apparatus?” Answers to all these questions were to be forwarded to the President by February 10, 1969.”²³⁹

Another document, a 1969 end of year report lists accomplishments of the operation, noting, “19,534 VCI were reported as neutralized during the period 1 January through 31 December 1969.”²⁴⁰ The report also mentions that efforts in 1969 produced more neutralizations than the previous year, which numbered 15,776.²⁴¹ Priority targets are categorized as “security personnel, finance and economy, revolutionary committee personnel, and current affairs committee personnel.”²⁴² Numbers of those neutralized in each category are listed, and the report notes that the total priority VCI targets neutralized were 11,675, about 60% of the 19,534 total.²⁴³ Another report documenting results obtained in 1971, showed “17,690 neutralized compared with the calendar year goal of 15,600.”²⁴⁴

Even though the Phoenix program’s support by the US government supposedly ended in 1972, it continued for two more years under a different name. F-6 was chosen as the code designation for a continued defensive effort “to bolster Phung Hoang after the Easter Offensive,” a military campaign on the part of the People's Army of Vietnam (PAVN) that took place between March 30 and October 22, 1972.²⁴⁵ F-6 revised Phoenix standard operating procedure,

and strived “to increase pressure on the VCI by allowing province chiefs to move against suspected cadre on the strength of a single report rather than the usual three.”²⁴⁶ In 1973, after the termination of F-6, Phung Hoang “was absorbed into the national police.”²⁴⁷

Conclusion

Phoenix Rises from the Ashes

The bird swooped without flutter or frown and began to kill, pillage, and burn, but before it was done, before the fight was won, its time had come to return.

-Final Phung Hoang Adviser, Vihn Long Province, IV Corps

Even though Phoenix finally terminated operations in Vietnam, the tactics utilized within the operation continued to be a mainstay of counterinsurgency efforts across the globe. In the 1970s, Operation Condor, an “intelligence and operations system...through which the South American military regimes coordinated intelligence information and seized, tortured, and executed political opponents in combined cross-border operations” encompassing the nations of “Argentina, Chile, Uruguay, Paraguay, Bolivia, and Brazil, Ecuador and Peru” and backed by the CIA, was implemented.¹ The parallels between Condor, Phoenix and the US Army’s Project X, a counterintelligence effort first launched in 1965-1966, are numerous.² As journalist Richard Gott observed in an article published in the *Guardian* in 1976, “The assassinations of leading Latin American officers and politicians in the last three years have become so numerous that there is a growing feeling amongst observers of the continent's politics that something akin to Operation Phoenix is now underway.”³ Condor was another attempt on the part of the United States to fight communism, this time in Latin America. It incorporated “counterguerrilla forces made up of military officers and paramilitary irregulars” with “methods of terror” including “assassination and abduction...ambushing, raiding, sabotaging” and other “diverse forms of coercion and violence.”⁴

A few years later, when Ronald Reagan became president in 1981, his administration voiced more concern about the communist presence in Central America. The nation of El Salvador, involved in a civil war between leftist rebel and government forces, was assumed by

Reagan to be supported by the Soviet Union. Through an increase in military support for the Latin American country, Phoenix rose from the ashes of its pyre to assist the United States once again in dealing with adversaries. Trusting in the expertise of the personnel who ran the operation in Vietnam, “the US sent the exact same people involved in the Phoenix program to advise El Salvador on how to wage war on its own peasants.”⁵ Two of these individuals included CIA officers, Donald Gregg and Rudy Enders.⁶

Yet another nation that experienced the legacy of Phoenix was Honduras. After the 1981 Salvadoran Civil War, Honduras was “transformed into a staging ground for covert operations.”⁷ The CIA conducted interrogation training sessions for Honduran soldiers in their home country and in the United States as well. One recruit, Sergeant Florencio Caballero was sent “to Texas with 24 others for six months between 1979 and 1980.”⁸ One of his instructors was an Agency chief known only as ‘Mr. Bill’ “who had served in Vietnam.”⁹ After completing their instruction, Caballero and the other soldiers joined Battalion 316, a counter intelligence group, and proceeded to carry “out a campaign of torture, extrajudicial killing, and state-sponsored terror against Honduran civilians.”¹⁰ These appropriately named ‘death squads’ travelled “in unmarked cars and” would “whisk people away for violent interrogations” then conduct acts of torture on “live prisoners.”¹¹ The unit was responsible for the disappearance of at least “184 people whose bodies were never found, not to mention the many who were tortured and survived.”¹² One of the survivors, Ines Murillo, a Marxist, was transported to a “secret army safe house” and tortured for “eighty days.”¹³ Some of the methods inflicted upon her included subjection “to electrical shocks for thirty five days” and being served “raw dead birds and rats for dinner.”¹⁴

Nicaragua was another nation in Central America that utilized Phoenix strategies and personnel. Reagan again became troubled; this time his concern was with the Sandinista regime

in that country, headed by Daniel Ortega. He was convinced that this radical group, backed by Cuba and the Soviets, “harbored ideologically motivated ambitions beyond their own frontiers.”¹⁵ To deal with this communist supported organization, “an anti-Sandinista army known as the ‘contras’” came into existence.¹⁶ William Casey, the CIA’s director under Reagan, produced an assassination manual for the Contras entitled *Psychological Operations in Guerrilla Warfare* which “reads like an update of the Phoenix Program.”¹⁷ The handbook advocates violence “to neutralize carefully selected and planned targets such as court judges, police and state security officials.”¹⁸ Felix Rodriguez, a Cuban exile, who not only helped with the Bay of Pigs invasion and the killing of Che Guevara, but also served as, “a Provincial Reconnaissance Units (PRU) adviser in the Phoenix program,” was utilized for support with counter insurgency.¹⁹ His assistance in training the contras accompanied by their engagement “in terror and assassination that often targeted Nicaraguan health workers and teachers or any government member they could get their hands on,” generated efforts effective in the elimination of “the Sandinista ‘Infrastructure.’”²⁰

Following efforts in these South American countries, Phoenix continued to rise. This time, the destinations were Iraq, Syria, and Afghanistan. In Iraq, techniques and personnel utilized in El Salvador were applied to that middle-eastern nation. The objective there was to kidnap and torture individuals who had suspected involvement with the Sunni insurgency.²¹ Death squads organized and trained in Syria, attempted “to overthrow the government in a manner similar to the way they used the contras in Nicaragua.”²² These squadrons would target the nation’s infrastructure, endeavoring “to destroy food production, hospitals schools, water, electricity and power, even cultural sites,” and in the process, “kill as many people as possible.”²³ In Afghanistan, the CIA had helped the Karzai government come to power in 2001,

and received intelligence assistance from the opium drug lord Gul Agha Sherzai. With his tips, “the CIA methodically tortured and killed Afghanistan’s most revered leaders in a series of Phoenix-style raids that radicalized the Afghan people.”²⁴ This set the stage for the CIA to initiate “war as a pretext for a prolonged occupation and colonization of” that country.²⁵

The official policy of the United States government on torture changes periodically and is delineated in numerous documents. In 2001, George W. Bush, as part of his War on Terror, following the attacks on the World Trade Center on September 11, authorized “harsh interrogation techniques,” reminiscent of Phoenix.²⁶ Nine days after the attacks, the president stated before a Joint Session of Congress that evidence indicated that “loosely affiliated terrorist organizations known as al-Qaida.” were responsible for the New York City strikes.²⁷ Bush also argued that the goal and policy of the United States and its allies would be to “oversee and coordinate a comprehensive national strategy to safeguard our country against terrorism and respond to any attacks that may come.”²⁸ He also made very clear that the war on terror would be unceasing “until every terrorist group of global reach has been found, stopped and defeated.”²⁹ Bush also issued a warning to other nations that aligned themselves with terrorists and warned, “Either you are with us, or you are with the terrorists.”³⁰ Through Bush’s direction and the support of the public, torture became more important as a tool to prevent future terrorist occurrences both at home and abroad.

As part of the Patriot Act, passed by Congress on October 26, 2001, the US military and the CIA, to safeguard national security, utilized detainment of suspected terrorists at Guantanamo Bay in Cuba and enhanced interrogation methods such as “forced nudity, waterboarding, sleep deprivation and stress positions.”³¹ Along with these means, eight other agonizing procedures, listed in a 2005 Justice Department memo to the CIA were used to elicit

responses from suspects.³² After the invasion of Iraq in 2003, “torture techniques refined by the Central Intelligence Agency over the last half century,” were administered, at Abu Ghraib prison located 32 kilometers west of Baghdad.³³ These psychosomatic methods generate “deep psychological damage to both victims and their interrogators, who can become capable of unspeakable physical cruelties.”³⁴ As mentioned previously, these practices of torture “were codified in 1963 in a secret manual known as “KUBARK Counterintelligence Interrogation,” and implemented in Phoenix at its inception in 1967.³⁵ George W. Bush allowed Phoenix’s legacy to rise to an even higher level by using a “presidential veto to defend certain exemptions from CIA interrogation” while maintaining that his administration supported “a narrow interpretation of torture that permits techniques as extreme as waterboarding on the grounds that they are not severe enough to constitute torture.”³⁶ In essence, his “entire war on terror apparatus mimics the Phoenix Program and fusion centers have already been set up to share intelligence on the American population itself.”³⁷

Another important development related to Phoenix set up during the Bush administration involved what are known as black sites (fig. 5.1). Organized after the 9/11 attacks, these “prisons outside the United States” were “part of a secret CIA program” that made use of Phoenix torture techniques during interrogation of suspected terrorists.³⁸ The Province Interrogation Centers, essential to the programs functioning were “the exact forerunners of these black sites.”³⁹ George W. Bush did whatever he could “to keep secret the treatment of the hundred or so “high-value detainees” whom the C.I.A. has confined, at one point or another, since September 11th.”⁴⁰ An article in *The Washington Post* from 2005 reported that based on information obtained from former and current intelligence officials and diplomats, these centers are “in eight countries, including Thailand, Afghanistan and several democracies in Eastern

Europe, as well as a small center at the Guantanamo Bay prison in Cuba.”⁴¹ The black sites, according to the US government utilize “alternative interrogation methods” that must be kept secret because their disclosure would “reasonably be expected to cause extremely grave damage,” and threaten America’s national security.⁴²

The International Committee of the Red Cross (ICRC), formed in 1863, investigated the allegations of torture undertaken at these hidden locations. For four years the organization waited on the CIA and the US government, to permit interviews with fourteen detainees who had been held at the sites and then finally transferred to Guantanamo. However, the Red Cross account was initially “kept from the public” and CIA officials failed to “even acknowledge the existence of the report.”⁴³ Finally in February 2007, the ICRC distributed its findings based on private interviews held between October 6-11, and December 4-14, 2006. While held at undisclosed locations, all of the detainees were subjected to “a harsh regimen employing a combination of physical and psychological ill-treatment with the aim of obtaining compliance and extracting information.”⁴⁴ They were all placed in “continuous solitary confinement” and were not allowed to speak to anyone but their interrogators for the entire time they were confined, which ranged from “some days to several months.”⁴⁵ The ICRC defined the term *ill-treatment* that the prisoners were subjected to as “torture and/or cruel, inhuman or degrading treatment.”⁴⁶ The methods of torture, reminiscent of Phoenix, included: suffocation by water, prolonged stress standing, beatings by use of a collar, beating and kicking, confinement in a box, prolonged nudity, sleep deprivation and the use of loud music, exposure to cold temperature/cold water, prolonged use of handcuffs and shackles, threats, forced shaving, and deprivation/restricted provision of solid food.⁴⁷

Seven years after the ICRC report was released, a three year investigation authorized by

the United States Senate Select Committee on Intelligence was issued to the public which showed striking similarities between Phoenix and the black sites. Like the operation in Vietnam, interrogators at these covert locations subjected prisoners to “enhanced interrogation techniques and afterwards, multiple CIA detainees fabricated information, resulting in faulty intelligence.”⁴⁸ The report notes that 26 of 119 individuals imprisoned “were wrongfully held” in confinement “because of mistaken identity” and failed to “meet the standard for detention” laid out by George W. Bush in a secret “September 2001 Memorandum of Notification (MON).”⁴⁹ Of the 119, “at least 39 were subjected to the CIA’s enhanced interrogation techniques” and of those 7 “produced no intelligence” at all.⁵⁰ In the tradition of Phoenix, the study also found that combinations of coercive methods of torture were preferred “with significant repetition for days or weeks at a time.”⁵¹ At first, the Agency reported that interrogators used “an open, nonthreatening approach,” and began sessions with the “least coercive technique possible and escalated to more coercive techniques only as necessary.”⁵² However, the committee determined that “records do not support” these “CIA representations.”⁵³

It must be mentioned that methods listed in the previously referenced KUBARK guidebook utilized by interrogators at the black sites which continue to be used today, demonstrate “the pervasive influence of the agency’s torture paradigm.”⁵⁴ The same types of interrogation described in the manual used by Phoenix operators in Vietnam, were also used in Central America during the 1980s, “and Afghanistan and Iraq since 2001.”⁵⁵ KUBARK established guidelines for assisting interrogators during sessions with “resistant forces.”⁵⁶ Chapters are devoted to both coercive and non-coercive methods, although discussion of the former is “not [to] be misconstrued as constituting authorization for the use of coercion at field discretion.”⁵⁷ KUBARK also provides advice for avoidance of “the characteristic mistakes of

poor interrogators.”⁵⁸ A comparison between the techniques outlined in KUBARK and other agency manuals like the “1983 Honduras training handbook, and United States Army Lieutenant “General Ricardo Sanchez’s 2003 orders for interrogation in Iraq” shows striking similarities.⁵⁹ In fact, the three guidebooks “are almost identical in both conceptual design and specific techniques.”⁶⁰

The Vietnam War contributed to growing resentment on the part of many CIA and military intelligence operatives who were members of the Phoenix program. They perceived America’s defeat in Vietnam “as a betrayal on the home front, a loss of will by domestic political enemies, not a military failure against a nationalist revolution fought as a guerilla war.”⁶¹ Through the assassination of Viet Cong partisans, Phoenix evolved into a “blueprint for the current black op targeting thousands of” American citizens through the utilization of “state of the art microwave (MW) and radio frequency radiation (RFR) weapons.”⁶² The concept of silencing domestic protesters and eliminating citizen “opposition stems from the perception of dissent against the war as treason.”⁶³ Counter insurgency techniques, torture and assorted methods of killing the enemy, promulgated in “the Phoenix program continues on American soil, so that the perceived betrayal of the military in Vietnam will not be repeated.”⁶⁴

Another domestic counterinsurgency operation bearing a close resemblance to the Phoenix program was Operation Hammer, a Los Angeles Police Department enterprise created by LAPD Chief Daryl Gates in 1987. To diminish gang violence in LA, Hammer utilized “hundreds of commando-style raids,” redolent of Phoenix, ‘on gang houses.’”⁶⁵ As a result, “more than 50,000 suspected gang members were swept up for interrogation based on factors such as style of dress and whether the suspect was a young black male on the street past curfew.”⁶⁶ Even though “90 percent were later released without charge,” a database with their

names was kept on file, evocative of how Phoenix recorded suspected VC.⁶⁷ In one raid on August 1, 1988, Hammer police officers entered two apartment complexes in southwest LA and “smashed furniture, punched holes in walls, destroyed family photos, ripped down cabinet doors, slashed sofas, shattered mirrors, hammered toilets to porcelain shards, doused clothing with bleach and emptied refrigerators.”⁶⁸ Not content with just property damage, which left “10 adults and 12 minors” homeless, the assailants gathered up the apartment dwellers, humiliated and beat many of them, “but none was charged with a crime.”⁶⁹

So, what does the future hold for Phoenix? Will more individuals and nations face its ire? Time will tell, and if the campaigns of the US government towards its enemies after Vietnam are any indication, its continued use appears imminent. Terrorism continues to be of great concern to leaders throughout the world, and techniques of counterinsurgency employed by Phoenix, seem to be the norm as a mainstay of US military and intelligence agency efforts to fight it. If terrorists and rogue regimes continue to wage war against America and its allies, Phoenix “will doubtless continue to be reborn again and again,” rising from the ashes to help bring down and defeat the enemy.⁷⁰

Notes

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Figure 3.2 Province Interrogation Center

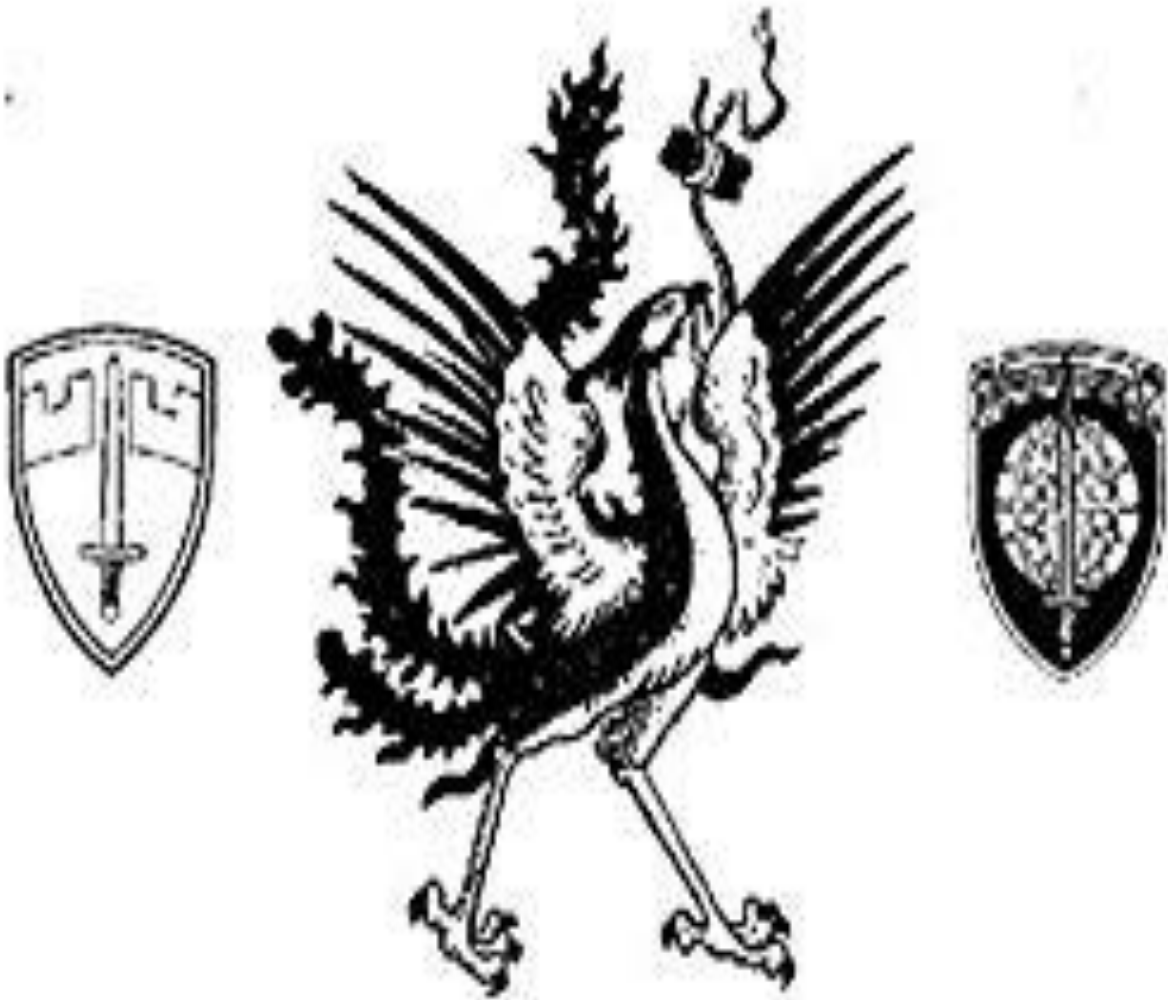


Figure 1.3 Kien Hoa Province PRU Team-1967



Figure 1.4 Waterboarding-Front Page *Washington Post* January 21, 1968

PHUNG HOANG



ADVISOR HANDBOOK

Figure 4.1 Front Cover of the Phoenix Handbook

Table 20-1 Phoenix/Phung Hoang Neutralizations, 1968-1972

YEAR	RALLIED	CAPTURED	KILLED	TOTAL
1968	2,229	11,288	2,259	15,776
1969	4,832	8,515	6,187	19,534
1970	7,745	6,405*	8,191	22,341
1971	5,621	5,012	7,057	17,690
1972 (as of 31 July)	<u>1,586</u>	<u>2,138</u>	<u>2,675</u>	<u>6,399</u>
Total	22,013	33,358	26,369	81,740

Figure 4.2 Phoenix Neutralizations 1968-1972



Figure 5.1 CIA Black Sites